Life and Works of

ʿAllāmah Anwar *Shāh Kashmīrī*

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LIFE AND WORKS OF *'ALLĀMAH* MUḤAMMAD ANWAR *SHĀH KASHMĪRĪ*

by

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Dedicated to the loving memory of my father, Abdul Satar Osman, who encouraged me to pursue studies in Islam, but did not live to share the joy of this fruit

and

to my mother, Hanifa Satar, who continues to encourage me in my educational pursuits.

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INTRODUCTION

ʿAllāmah Anwar *Shāh* Kashmīrī (d. 1933) was one of the most distinguished Islamic scholars of the Indo-Pak Subcontinent. He was recognised as an authority on *ʿIlm al-Ḥadīth* (the science of *Ḥadīth*). His works on *Ḥadīth* won him the title of *Shaykh al- Ḥadīth* (an expert in the field of *Ḥadīth*) and was also acclaimed as a *Muḥaddith* (scholar of *Ḥadīth*).

Although *ʿAllāmah* Anwar *Shāh* Kashmīrī's speciality was primarily in the field of the science of *Ḥadīth*, he was equally competent to teach and write in other relevant Islamic sciences such as, *al-Fiqh* (Islamic Jurisprudence) and *ʿUlūm al-Qur'ān* (Qur'anic Sciences), etc. His research and findings sometimes led to him engaging into intense intellectual debates with other Muslim scholars in various parts of India.

He had a passion for *Ḥadīth* and he spent all his life teaching the *Ṣiḥāh Sittah* (The Six Authentic Collections of *Ḥadīth*). Students used to flock to the institutions where he taught and it was considered an honour and privilege to study under him.

ʿAllāmah Anwar *Shāh* Kashmīrī's contribution in the field of *Ḥadīth* benefited and continue to benefit scholars and students alike to this day.

To date no systematic study on the life and works of *ʿAllāmah* Anwar *Shāh* Kashmīrī has as yet been accomplished in the English language. Biographies on him exist in the Urdu language and they are mostly of a popular nature and have generally not discussed in detail his academic uniqueness and peculiarities. Thus, the objectives of this study will be to:

1. Discuss the evolution of the Islamic institutions of Islamic learning in India and what impact it had in moulding and shaping the intellectual pursuit of *ʿAllāmah* Anwar *Shāh* Kashmīrī.

2. Analyze his literary works and assess his contributions in the field of the science of *Ḥadīth* and *Ḥadīth* literature.

3. Examine his unique position and individual stance on matters pertaining to *Tafsīr al-Qur'ān* (Qur'anic Exegesis),

ʿIlm al-Ḥadīth (the Science of *Ḥadīth*) and some *Fiqhī* (legal) issues.

Chapter One

INSTITUTIONS OF HIGHER ISLAMIC LEARNING IN INDIA: HISTORICAL BACKGROUND

1. BACKGROUND

The history of the arrival of Muslims in India and their positive contributions in the field of knowledge and culture, the socio-economic sphere and political structure are all well documented.[1] Thus, this chapter gives an overview of the circumstances that led to the establishment of the institutions of higher Islamic learning in India and highlights the salient features of at least five prominent ones.

When Muslims came to India they brought with them the message of equity and social justice which was non-existent in India at that time.[2] Many progressive features in the socio-cultural structure of the different communities in India, for example, respect for women and their rights, can be traced back to the influence of Islam.[3] It is

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1. Briggs, John. *History of the Rise of Mohammedàn Power in India*. New Delhi. Oriental Press. 1981, p. 12.
2. Nadwi, Abul Hasan. *Muslims in India*. Lucknow. Islamic Research and Publication. 1976, p. 12.
3. *Muslims in India*, op. cit., p. 12.

unfortunate, however, that some historians chose to grossly distort the contributions of Muslims in India.[4]

The Moghul Empire was founded in 1526 by Babar (d. 1530). He was one of the most important Muslim rulers in the East. Babar laid down the foundation of a great empire that continued to flourish for several hundred years. Tremendous progress and prosperity were achieved during the Moghul era.[5] As far as Awrangzeb (d. 1708) is concerned, he was the last of the powerful Moghul emperors and he will always be remembered in the annals of the history of Muslims in India for his pristine character, Islamic fervour and commitment.

Muslim emperors and conquerors on the whole never aspired to destroy the religions nor cultures of other communities, nor did they force Islam upon their vanquished subjects. The *Ṣūfī Shaykhs* (Islamic mystic masters) and the *ʿulamā'* (Muslim religious scholars) who were instrumental in the propagation of the *dīn* (religion of Islam) were well aware of the fact that forced conversion was strictly prohibited by the *Qur'ān*.[6] Had there been a policy of forced

[4]. Nadvi, Habibul Haq. *Islamic Resurgent Movements in the Indo-Pak Subcontinent*. Durban. Academia: The Centre for Islamic, Near and Eastern Planning and Publication. 1987, p. 21.
[5]. *Muslims in India*, op. cit. p.8.
[6]. *Qur'an*, 2:256.

conversions during the period of Muslim rule in India, which lasted for about nine hundred years, the Muslims in India would today not have ended up to be classified among the minority groups in India.

Islam spread in India long before Muslims conquered it. Many people had accepted Islam even prior to the arrival of Muḥammad Ibn Qāsim (d. 98/723), the great Muslim general during the Umayyad rule (685 - 750). Simplicity of Islamic beliefs and Islamic values of equity, justice, truthfulness and honesty attracted many people in India and that led them to accept Islam. The caste system that prevailed in India denied the people their basic human rights, especially those who were regarded to belong to an inferior caste.[7]

Muslim rulers, on the other hand, generally adopted a neutral policy towards all religions and religious communities that were in existence in India. Moreover, the *ʿulamā'* preached tolerance towards peoples of other faiths. Throughout the centuries of Muslim rule in India, necessary mechanisms were set in place in order to foster inter-communal relationship between Muslims and Hindus.[8]

[7]. Mujib, M. *The Indian Muslim*. Liverpool. George Allen and Unwin Ltd. 1967, p. 235.
[8]. Qureshi, Ishtiaq Husain. *Ulama in Politics*. Karachi. Ma`arif Press, n.d., p. 282.

Akbar the great Moghul emperor (1556-1605) proclaimed himself as the *Mahdī* (the awaited reformer).[9] He was influenced by the thoughts of Messianism of Aḥmad Jawnpuri, who in the first half of the sixteenth century, introduced Messianism in India by assuming the role of the *Mahdī*. Although Akbar established *Dīn-e-ilāhī* (divine faiths), motivated by the need to unite all the various religious communities and forge mutual understanding among the different communities,[10] he ended up diluting the pristine teachings of Islam with that of Hinduism and the traditions of other religions. *Shaykh* Aḥmad Sirhindī (d. 1624), who was popularly known as *Mujaddid Alf al-Thānī* (religious renovator of the second millenium), and other Muslim scholars rejected *Dīn-e-ilāhī* and condemned Akbar for bringing about this bizarre innovation. Their timely reaction succeeded in neutralizing the effects of imperial heresy on Muslims.[11]

During the middle of the seventeenth century *Shāh* 'Abd al-Ḥaq *Muḥaddith* (scholar of *Ḥadīth*) of Delhi and *Shaykh* Aḥmad Sirhindī struggled in order to rehabilitate Islam in India. *Shaykh* Aḥmad exerted the last powerful Moghul ruler Awrangzeb (d. 1708) to return

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9. *Islamic Resurgent Movements in The Indo-Pak Subcontinent*, op. cit, p. 39.
10. Nadwi, Syed Abul Hasan Ali. *Sayid Ahmad Shahid – His Life and Mission*. Trans. by Mohiuddin Ahmad. Lucknow. Islamic Research Academy and Publication. 1975, p. 7.
11. *Islamic Resurgent Movements in The Indo-Pak Subcontinent*, op. cit., p. 34.

to the pristine teachings of Islam. Awrangzeb later on came to be recongised as the preserver of the pristine faith of Islam.

Shāh Walī Allāh who was born in India in 1703, five years before the death of Awrangzeb, was considered to be the one who succeeded in building a bridge between medieval and modern Muslim India. Fully aware of the religio-political and socio-economic disintegration of Muslims in India, he launched his two-fold reform movement.[12] His *Jihād* (Active) Movement, spearheaded by Sayyid Aḥmad Shahīd (d. 1831) and his disciples, carried on its endeavours against British rule throughout the eighteenth and nineteenth centuries. His educational and religious reforms led to the emergence of many great centres of Islamic learning, one of which was the *Dār al-ʿUlūm* in Deoband in the Uttar Pradesh Province of India.

1.1 BRITISH COLONIZATION

The death of Awrangzeb in the early eighteenth century marked the end of Muslim rule in India. Subsequently, by the middle of the nineteenth century, Muslim India was completely colonized by the

[12]. *Sayid Ahmed Shahid – His Life and Mission*, pp.10-11.

British. This new colonial power introduced drastic changes in the political, economic, educational and cultural spheres, which in turn drastically reduced Islamic influences in India in practically every sphere of Muslim life.

1.2 REACTIONS OF MUSLIMS

The *'ulama'* and other religious leaders, in order to counteract the British onslaught on their religion and culture, called upon Muslims to:

- return to pristine Islam
- conform strictly to the *Sunnah* (precepts laid down by the Prophet Muḥammad (s.a.w.s.)
- revive the spirit of *jihād* (active struggle) in order to effect religious, social and political reforms.

The *Jihād* Movement, launched by Syed Aḥmad Shahīd (d. 1831) and his faithful disciple Syed Ismāʿīl Shahīd (d. 1831) in northern India against the British and other anti-Islamic forces, who had succeeded in making inroads into the lives of the Muslim, was the result of that same spirit. Since the Muslims lost the armed combat and could not

prevent the British from forcefully occupying India, their religious leaders changed their strategy and directed their efforts towards protecting the Islamic faith and their cultural identity from the British and western onslaught.

The *ʿulamā' symbolized* the aspirations of the *ummah* (Muslim nation) and as such were mostly concerned to safeguarding the faith of the Muslim masses, rekindling in them the spirit of commitment to Islamic norms and practices. Their immediate task was to preserve the religio-cultural identity of Muslims and towards this end they concentrated their efforts on Islamic education. The *ʿulamā'* of Delhi and *Farangī Maḥal*[13] spearheaded this task.

After the demise of *Shāh* Walī Allāh (d. 1762), the Delhi *'ulama'* were led by his four sons, namely *Shāh* ʿAbd al-'Azīz (1746-1824), *Shāh* Rafīʿ al-Dīn (1749-1818), *Shāh* ʿAbd al-Qādir (1754-1815), and *Shāh* ʿAbd al al-Ghanī (d. 1831) and all of them upheld the reformist teachings of their father.[14]

[13]. For more details see Desai, Ziyaud-din A. *Centres of Islamic Learning in India.* Simla. Government Press. 1978.
[14]. *Islamic Resurgent Movements in the Indo-Pak Subcontinent*, op. cit., p. 45.

At Balakot, a place in the Northern Frontier Province of the present day Pakistan, the *jihād* waged by Syed Aḥmad Shahīd and his *mujāhiddīn* (soldiers) against the Sikhs ended in tragedy with their martydom in 1831. Moreover, the failure of the 1857 uprising led by *Mawlānā* ʿInāyat ʿAlī (d. 1858), who tried to liberate all Muslim areas annexed by the Sikhs and British, gave the British an opportunity to unleash their savage atrocities against the Muslims. They banished the Moghul King Bahadur *Shāh* (d. 1858) to Burma and many Muslims, especially the *ʿūlamā'*, were tortured and mercilessly killed. Their properties were appropriated and many *masājid* (mosques, sing. *masjid*) and centres of Islamic learning were either destroyed or closed down.[15]

The educational policy imposed by the British after the seizure of Delhi in 1803 and after its full occupation in 1857 was totally alien to Muslims. The British established colleges and schools with the aim of imposing western culture and values on their occupied subjects, which in turn aimed at promoting a kind of secularism.

[15]. *Islamic Resurgent Movements in The Indo-Pak Subcontinent*, op. cit., p. 53.

The *'ūlamā'* in the post-1857 period were convinced, more than ever before, that they had to rise to the situation and thus they decided to evolve an alternative educational system in order to counteract the influence of the British. There was growing fear that future Muslim generations would be totally alienated from their rich intellectual legacy and that they would end up neither being versed in the *Sharī'ah* (Islamic Law) nor in the moral values of Islam and its civilization.

The strategy of the *'ūlamā'* in the domain of Islamic education was to concentrate their efforts on the establishment of *madāris* (sing. *Madrasah*). These *madāris* imparted education in the various Islamic disciplines with the hope that from these institutions there would arise a new band of Islamic scholars who would be able to meet the challenges posed by the new turn of events. Foremost among these Muslim educational revivalists were *Maẉlānā* Qāsim Nanotwi (d. 1879) and *Mawlānā* Rashīd Aḥmad Ganghohi (1908). Both of them were dedicated educational reformists and spiritual disciples of *Ḥājī* 'Imdād Allāh (d. 1899).[16] Born on 3rd January 1818 in a village near Saharanpur, *Ḥājī* 'Imdād Allāh was instrumental in guiding many

[16]. *Muslims in India*, op. cit., p. 5.

scholars belonging to the reformist school of Delhi. He finally migrated to Makkah and from there he continued to guide the generation of *ʿūlamāʾ* who were committed to the resurgent movement in India. About eight hundred of such *ʿūlamāʾ* who hailed from the north and south of the Indian Subcontinent took the *bayʿah* (spiritual allegiance) on his hands.

Referring to the positive contributions made by *Mawlānā* Nanotwi (d. 1879) in the field of Islamic education in the Indian Subcontinent, *Mawlānā* Manāẓir Aḥsan Gilānī (d. 1956) notes, in his biography on that illustrious scholar, that it was after the failure of the 1857 War of Independence that *Mawlānā* Nanotwi's mind was actively engaged in the establishment of new fronts of resistance and struggle of which the educational design of the *Dār al-ʿUlūm* was the most important of it all.[17]

Education bears relation to the social system in which it is carried out. The structure of society depends on the type of education that is imparted to the younger generation. The early Muslims were pioneers in various branches of knowledge precisely because Islam, from its

[17]. *Muslims in India*, op. cit., p. 5.

inception, always laid great emphasis upon education and it may be noted here that the very first word revealed in the *Qur'ān*, namely, *'iqra'* (i.e. a command to read) has a direct bearing on learning.[18]

Initially, wherever Muslim abound, even in India, the *masjid* was not only a place of worship, but its extensive open space also served as a school where the young and old learnt how to recite the *Qur'ān*. It was here that they listened to discourses on *Ḥadīth* (Traditions of the Prophet Muḥammad - s.a.w.s.), studied Islamic calligraphy, and learnt basic *Fiqh* (Islamic jurisprudence) and other Islamic sciences. Gradually thereby, *maktabs* (religious schools), separate from the studies conducted in the *masjid*, were established wherein formal education in the Islamic sciences were imparted. Eventually, various *Dār al-ʿUlūms* (Institutions of Higher Islamic Learning) came into existence.[19]

The Mongol invasion in the 13th century of Central Asia and other Islamic lands was in a way responsible for the influx of numerous scholars into India. These scholars brought with them their own

[18]. *Qur'ān*, 96:1.
[19]. *Centres of Islamic Learning in India*, op. cit., p. 30.

system of education that subsequently led to the establishment of many educational institutions throughout India. Some Muslim scholars chose to hold private classes, while others took employment in State-run schools and colleges or other institutions that were established and run from private donations.[20] Many such institutions continued to flourish and among them were the *Muʿizz Madrasahs* in Delhi and Badaun and the *Firūz Shāh* at Hauz Khas in Delhi where eminent Muslim scholars were engaged in teaching.

The *Bidar Madrasah* in Delhi occupied a three-storey building that comprised of a *masjid*, a library-hall, lecture rooms, lodging quarters for lecturers and students.[21] This model of educational institution has more or less continued throughout India to this present day.

Today, the syllabus of these Institutions of Higher Islamic Learning may have undergone some modifications, but by and large, the nature of the curriculum still remains the same. Religious sciences occupy the most prominent position in the curriculum with the *Qur'ān* being considered the source and fountain-head of Islamic learning with

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[20]. *Muslims in India*, op.cit., p.86.
[21] . *Centres of Islamic Learning in India*, op. cit. pp. 9-10.

Arabic not only being taught as a language, but most of the textbooks are in Arabic as well.

The British Government, the most powerful representative and advocate of western civilization in the East, entrenched its authority in India by the early eighteenth century and imposed an army of ideas, institutions and techniques upon its Indian subjects. The Indian Muslims, on the other hand, were at that time a defeated lot, dejected, baffled and humiliated.[22] The failure of the 1857 uprising dealt a severe blow to the morale of the Muslims. The British viewed the Muslims as their enemies and were determined to forcefully take over the Indian Subcontinent from them.

1.3 SOME INSTITUTIONS OF HIGHER ISLAMIC LEARNING

At this critical juncture in the history of Muslims in India, two types of institutions of higher Islamic learning came into existence. One was totally religious under the patronage of the *ʿulamā'* and the other combined in its curriculum both religious and secular education. Sir Sayyid Aḥmad Khān (d. 1898)` and his colleagues who were

influenced by modern education and the British system of education spearheaded the latter.

When Britain colonized India, the *'ulamā'* finally decided to leave beloved, but desolate Delhi and opted to move to the villages and towns where many of them had their roots. Deoband, Saharanpur, Kandelah, Gangoh, Lucknow and Bareilly were some of these villages in which they chose to settle in and establish their educational institutions. British presence in these villages was nominal and hence they were considered the safest venues for the preservation and promotion of Muslim culture and Islamic religious knowledge. The *'ulama'* channeled all their efforts towards imparting religious education with the hope that in due course a host of prominent Muslim scholars would emerge from these Islamic institutions of higher Islamic learning.

1.3.1. *DĀR AL-'ULŪM FARANGĪ MAḤAL*

At the turn of the eighteenth century a notable Muslim family, whose members were respected for their religious knowledge, settled in

[22]. Nadwi, Syed Abul Hasan Ali. *Western Civilization Islam and Muslim*. Lucknow. Academy of Islamic Research and Publication, n.d., p. 61.

Lucknow. *Mullā* Quṭb al-Dīn (d. 1691) who had always retained close links with the Moghul court in Delhi was the head of that family. He was a member of the committee that was appointed by Emperor Awrangzeb (d. 1708) with the task of compiling religious edicts on various issues affecting the Muslim community which came to be known as *al-Fatāwā al-ʿAlamghīriyyah*. At this juncture, it may be pertinent to mention that since that particular Muslim family occupied a French mansion that was given to them by the Moghul rulers, that family came to be referred to as *Farangī Maḥal*.

Dār al-ʿUlūm Farangī Maḥal came into existence in 1693. It was founded by Mullā Niẓām al-Dīn Sihal (d. 1748) and was a direct descendent of the *Farangī Maḥal* family of Lucknow. He was responsible for evolving the syllabus of that educational institution and as a result, the curriculum of studies was named after him, i.e. *Dars-e-Niẓāmī* (*Niẓāmī Curriculum*).[23] This curriculum came to be implemented in practically every Muslim religious institutions in the Indo-Pak Subcontinent and in other parts of the world, including South Africa.

[23]. *Centres of Islamic Learning in India*, op. cit., p. 27.

Dār al-ʿUlūm Farangī Maḥal was noted for the training of *qāḍīs* (judges), *muftīs* (those competent to issue legal opinions) and other legal officials that were, from time to time, required in Muslim courts. Thus *Dār al-ʿUlūm Farangī Maḥal* succeeded in filling the void in Islamic scholarship which existed after the displacement of religious centres in Delhi.[24]

1.3.2 *AL-MADRASAT AL-RAḤĪMĪYAH*

Like the *ʿulamā'* of the *Farangī Maḥal*, *Shāh* Walī Allāh aspired for the restoration of Muslim rule in India in which the *ʿulamā* would play an important role. He succeeded his father, *Mawlānā* ʿAbd al-Raḥīm (1644-1718), as principal of *Madrasah al–Raḥīmīyah* in Delhi which was named after his father who devoted his entire life studying and teaching Islam.[25] *Mawlānā* ʿAbd al-Raḥīm effected some reforms in the religious curriculum[26] and later on *Shāh* Walī Allāh and the *Farangī Maḥal 'ulamā'* paved the way for further reforms to be effected within the *Dars-e-Niẓāmī* Curriculum.[27]

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[24]. *Centres of Islamic Learning in India*, op. cit., p. 14.
[25]. Metcalf, Barbara Daly. *Islamic Revival in British India: Deoband, 1860-1900*. Princeton. Princeton University Press. 1982, p. 36.
[26]. *Centres of Islamic Learning in India*, op. cit., p.14.

After the demise of *Shāh* Walī Allāh in 1762, his eldest son, *Shāh* 'Abd al-ʿAzīz (1746-1824), continued to bring about changes in the curriculum. He and his brothers, namely, *Shāh* Rafīʿ al-Dīn (1749-1818), *Shāh* ʿAbd al-Qādir (1754-1815) and *Shāh* ʿAbd al al-Ghanī (d. 1831)[28] taught the religious sciences in Delhi, particularly studies in *Aḥādīth*, to a large number of students. Muslim public gained further access to instruction in the *Sharīʿah* through his famous *Fatāwā* (Legal Opinions).

During the second half of the nineteenth century the Muslim intelligentsia felt that it was necessary to effect further changes into the *Dars-e-Niẓāmī* Curriculum. Thus these changes were finally made and implemented in the emerging Islamic religious institutions, like *Dār al-'Ulūm* of Deoband, U.P., India.

1.3.3 *DĀR AL-'ULŪM DEOBAND*

The town of Deoband lies ninety miles northeast of Delhi and is typical of other large villages scattered across northern India. Muslim

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[27]. *Islamic Revival in British India: Deoband, 1860-1900*, op. cit., p. 44.
[28]. *Islamic Resurgent Movements in India*, op. cit., p. 45.

scholars in Deoband belonged to two prominent families, namely the ʿUthmānī and Ṣiddīqī families. Their influences had persisted since Moghul times.[29] The famous *Dār al-'Ulūm Deoband* was finally established by in 1867, ten years after the mutiny. Credit goes to *Mawlānā* Qāsim Nanotwī (1832-1880), *Mawlānā* Rashīd Aḥmad Ganghohī (1829-1904), *Mawlānā* Muḥammad ʿAbid Ḥusayn Fatehpuri (d. 1927), *Mawlānā* Dhū al-Fiqār (d. 1904) - the father of *Mawlānā* Maḥmūd al-Ḥasan, *Mawlānā* ʿAbd al-Raḥmān ʿUthmānī (the father of *Mawlānā* Shabbīr Aḥmad 'Uthmānī) and *Mawlānā* Mehtāb ʿAlī *Ḥājī* for the establishment of that institution. *Mawlānā* Muḥammad ʿAbīd Ḥusayn who initiated the first contribution towards the establishment of that institution became its first Principal.[30]

One of the first teachers at *Dār al-'Ulūm* Deoband was *Mullā* Maḥmūd, and one of its first students was Maḥmūd al-Ḥasan, and both shared, by coincidence, the first name Maḥmūd.[31] Maḥmūd al-Ḥasan was born in Bareili, U.P., India and later on became well known as *Shaykh al-Hind.* It was during the time when he had been

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29. *Islamic Revival n British India: Deoband 1860-1906*, op. cit., p. 30.
30. *Centres of Islamic Learning in India*, op. cit., p. 34.
31. *Islamic Resurgent Movements in The Indo-Pak Subcontinent*, op. cit., p. 56.

studying Islam under the local *ʿulamā'* in his village that the *Dār al-ʿUlūm Deoband* was established. He was the first student to enrol at that institution. The first batch of students comprised of 16 young Muslim students and *Mawlānā* Maḥmūd al-Ḥasan was declared the most outstanding student in the first annual examinations which were conducted by *Mawlānā* Qāsim Nanotwī. He completed his studies in 1873 and a year later was appointed as one of the most famous teachers at that institution. In all he spent 40 years at that institution where he played an important role in its teaching programme as well as in its administrative affairs. He passed away in Dehli in 1919 and lies buried in Deoband.[32] *Mawlānā* Qāsim Nanotwī was instrumental in establishing *Dār al-ʿUlūm Deoband* which was officially opened on 30th May 1866. He passed away at the age of 46 and lies buried in Deoband. After his demise, the *Majlis-i-Shūrā* of *Dār al-ʿUlūm Deoband* elected *Mawlānā* Rashīd Gangohī as the new Principal . He passed away at the age of 75 in 1904. Both he and *Mawlānā* Qāsim Nanotwī were the students of the famous *Muḥaddith Shāh* ʿAbd al-Ghanī Dehlawī (d. 1878). They both took spiritual allegiance on the hands of *Ḥājī* Imdād Allāh *Muhājir Makkī* (d. 1899).

[32]. Masʿūd, Anwar Shāh. *Naqsh-i-Dawām*. Delhi. Sherwani Press, n.d. p. 33.

In the early stages when *Dār al-ʿUlūm* Deoband was first established, classes were conducted in an old *Masjid* which came to be known as *Chatta Wali Masjid* (Mosque with a thatched roof) under a spreading pomegranate tree that still stands. Later on, as the student population increased, some nearby houses were rented and used as classrooms and dormitories for students and staff. Classes were also conducted in a section of the *Jāmiʿ Masjid* (Friday Congregational Mosque). *Dār al-ʿUlūm* Deoband was in a position to procure its first building in 1897 and thereafter a number of buildings were gradually built for housing students and staff and a separate lecture halls were built in which the various Islamic disciplines were imparted.

Over the years, *Dār al-ʿUlūm* Deoband expanded and became a fully-fledged institution of higher Islamic learning. A total number of about 1 500 students were enrolled and 50 teachers were employed. It attracted students from all over the world. Its budget, which runs into millions of Indian rupees, is met through public donation raised from among Muslims.

The decision not to accept financial assistance from the Indian Government nor from any other government agency is strictly adhered

to, lest there may be interference in the autonomous functioning of the institution.[33]

Dār al-ʿUlūm Deoband is administered by a governing body comprising of the Patron (*Sarparast*), Principal (*Muhtamīm*), Head *Lecturer (Ṣadr-i-mudarris*), and Head of the *Fatwā* (legal opinion) Department. It has 13 academic departments and among some of the 22 Islamic sciences which are taught are: *Qur'ān, al-Tafsīr* (Qur'ānic exegesis), *Ḥadīth* (Traditions of the Prophet – s.a.w.s), *Uṣūl al-Ḥadīth* (Principles of the Traditions), *al-Fiqh* (Islamic Jurisprudence), *Uṣūl al-Fiqh* (Principles of Islamic Jurisprudence), Arabic grammar, Persian, etc.[34]

Dār al-ʿUlūm Deoband is ranked as one of the greatest institutions of its kind in the Muslim world and is perhaps second only to the famous *Al-Azhar* University in Cairo, Egypt. For over a century now, this great seat of Islamic learning has occupied an unrivalled place amongst the many Islamic religious institutions worldwide.

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33. Tayyib, Qar Muammad. *Tārīkh Dār al-'Ulūm Deoband.* Deoband. Maktab-i-'Uthmānī, n.d. p.89.

34. *Centres of Islamic Learning in India,* op. cit., p. 20.

The goal of this institution is to train the *ʿulamā'* who are dedicated to promote the cause of Islam through their expertise in the field of Islamic Sciences. Some of the scholars produced by this institution serve as *a'immah* (sing. *imām*) in the various *masājid* where they lead Muslims in the five congregational *Ṣalāt* (Prayers), the *Jumuʿah* (Friday) *Ṣalāh* and the *ʿId* (Festival) *Ṣalāh.* They are also engaged in imparting religious education to the general Muslim public. Some of its graduates choose to take up employment at any of the many Islamic educational establishments either in India or in other parts of the world. Others choose to be *duʿāt* (preachers) and some others devote their energies in disseminating the knowledge of Islam via the medium of the pen.[35] Most importantly, the *ʿulamā* who have emerged from *Dār al-ʿUlūm* Deoband have always served as role models for leadership and guidance for the *Ummah* (the Muslim community), both in the political and non-political fields.

Traditional Islamic religious education, based on the *Dars-e-Niẓāmī* curriculum, is imparted over a six-year period. The medium of instruction is in the Urdu language. Education is thus essentially based exclusively upon the prescribed textbooks in the various branches of

[35]. *Tārīkh Dār al-'Ulūm Deoband,* op. cit., p. 98.

the Islamic sciences. The students read the prescribed works in the presence of their teachers and the teachers expound upon the texts and correct their readings as well.

At the end of their formal education, students are given the option to spend another two years in order to specialize in any one of the branches of Islamic Sciences such as *Tafsīr*, *Ḥadīth*, *Fiqh* etc. Academic certificates issued by *Dār al-ʿUlūm* Deoband are recognized by almost all academic institutions worldwide.[36]

The *ʿulamā'* of *Dār al-'Ulūm Deoband* founded other institutions of higher Islamic learning on a similar pattern in other parts of India. For example, in 1875 *Mawlānā* Mazhar (d. 1885) established *Maẓāhir al-ʿUlūm* in Saharanpur, and in the same year he founded *Madrasat-i-Shāhī* in Muradabad. The *Dār al-'Ulūm Deoband* graduates also serve in these newly established educational institutions.

[36]. *Centres of Islamic Learning in India*, op. cit., p. 21.

1.3.4 THE ALIGARH COLLEGE

Sir Syed Aḥmad Khān (1817-1898) who witnessed the last days of the Moghul Empire and the failure of the 1857 War of Independence founded the Aligarh Movement. His family had close ties with the East India Company and his grandfather held a high post in that Company.[37] Sir Syed Aḥmad Khān too joined the East India Company after resigning from the Moghul administrative services. He was fascinated by the administrative skills of the British and had great admiration for their intellectual insight. He opposed the war against the British and he was of the view that Muslims had no option but to cooperate with the British imperial power which had come to stay in India.

He advocated that Muslims should accept the Western educational system with all its materialistic implications and should study the modern sciences. He followed the theology of the Muʿtaziltes, who believed in the rational interpretation of religion and the application of the laws of nature to metaphysical issues in an attempt to reconcile the

[37]. *Islamic Resurgent Movements in The Indo-Pak Subcontinent*, op. cit., p. 123.

Qur'ān to modern science. He even regarded the study of the English language as a religious duty.[38]

The Aligarh College, which was instrumental in disseminating Sir Syed Aḥmad Khān's thoughts, was founded in 1864. The *'ulamā'* vehemently opposed his views. Sir Syed Aḥmad Khān soon realized that his intellectual scientific movement would fail if the religious sciences were not introduced into the curriculum of the Aligarh College. Thus in 1874, a committee was constituted to formulate a new curriculum which made provisions for the imparting of the Islamic religious disciplines alongside the modern scientific studies within that College. Several prominent Indian *'ulamā'*, for example, *Mawlānā* Qāsim Nanotwī, were invited to serve on that committee, but he declined the offer. In 1921 the Aligarh College became a fully-fledged University and none can deny the fact that that University served to foster the cause of Muslim education in India and even played a significant role in reshaping the political future of modern India.

38. *Islamic Resurgent Movements in the Indo-Pak Subcontinent*, op. cit., p. 124.

1.3.5 *NADWAT AL-'ULAMĀ'*

In 1893 *Mawlānā* Muḥammad 'Alī Mongheri (d. 1918) and some of his colleagues founded the intellectual movement of *Nadwat al-'Ulamā'*. But it was only five years later in 1898 that *Nadwat al-'Ulamā'*, as an educational institution of higher Islamic learning, came into existence at a crucial time when the Muslim intellectuals were divided into two groups. One group was termed the modernists since they were influenced by Western education and its sciences and civilization. They were in essence the product of the western system of education and indoctrination. The other group was the orthodox Muslims whose role models were the *'ūlamā'*. The great majority of *'ūlamā'* was not ready to reconcile and accommodate the Western system of education. They regarded the Islamic religious curriculum that was already in vogue to be perfect and final. Hence, they viewed any attempt not to conform to that set Islamic religious educational pattern as an act of subversion and an innovation that could not be tolerated at any cost. However, amongst these *'ūlamā'*, there was a few who were enlightened and concerned about the future of the Muslims in India. Some of these *'ūlamā'* were *Mawlānā* Muḥammad 'Alī Mongherī (d. 1918), *Mawlānā* Luṭf Allāh of Alighar (d. 1915),

Mawlānā Aḥmad Ḥasan of Kawnpur (d. 1933), *Mawlānā* Ashraf ʿAlī Thanwī (d. 1943), *Mawlānā* Khalīl Aḥmad of Saharanpur (d. 1927) and *Mawlānā* Fakhr al-Ḥasan of Gangoh (d. 1897). They could foresee the dangers that could beset the Indian Muslims if that narrow mindset were allowed to perpetuate.

As a result of their concern, they initiated the convening of a special convention of *ʿulamā'* belonging to all schools of thought in 1893 at Kawnpur, which is situated in the present day Uttar Pradesh, India. It was during their deliberations that the movement of *Nadwat al-ʿUlamā' (Association of ʿUlamā')* came into existence. It emerged as a powerful school of thought on the religio-cultural and intellectual scene of the Indian Subcontinent. This group of scholars chalked out a balanced and middle course between the Deoband and Aligarh educational systems and thus bridges were possible to be built between the old and the new order.

Mawlānā Muḥammad ʿAlī Mongherī was appointed as the first rector of *Nadwat al-ʿUlamā'*. *ʿAllamah* Shiblī Nuʿmānī (d. 1914), a well-respected scholar of Islam in India, was appointed as the director of education. Under his able leadership a syllabus reform committee was

constituted with the mandate to prepare an integrated syllabus in close consultation with other centres of learning.

The English language along with some other secular courses such as science, history, geography and mathematics were also introduced. *ʿAllamah* Syed Sulaymān Nadwī (d. 1953) and *Mawlānā* Abul Kalām Āzād (d. 1955) were responsible for the editing of the monthly journal of *Nadwat al-ʿUlamā'*, namely, *al-Nadwah*.

ʿAllamah Syed Sulaymān Nadwī succeeded *ʿAllamah* Shiblī Nuʿmānī as the director of education and discharged his responsibility with great zeal. He followed the footprints of *ʿAllamah* Shiblī and the institution benefited greatly from his unique literary abilities and experiences. *ʿAllamah* Syed Sulaymān Nadwī also took part in religio-cultural and political affairs. When he finally retired, the office which he occupied was placed in the hands of Syed Abul Ḥasan ʿAlī Nadwī (d. 1999). In 1961 Syed Abul Ḥasan ʿAlī Nadwī was appointed as the rector of *Nadwat al-ʿUlamā'*. He held that post until his demise in 1999.

None can deny the fact that *Nadwat al-ʿUlamā'* made an invaluable intellectual contribution in India. It succeeded in producing scholars of international repute who were in a position to effectively convey the message of Islam to the modern world in such a manner that appealed to both the western educated Muslims and those who studied in the traditional Islamic institutions.[39]

In the midst of all these developments, *Mawlānā* Anwār Shāh Kashmirī (hereinafter referred to as *Shāh Saḥib* in this dissertation) opted to pursue higher Islamic education at *Dār al-ʿUlūm Deoband.* He did that upon the advice of his teachers in Kashmir and Hazarah (which became part of Pakistan, post-British rule). It may be appropriate to point out here that during the time and era that *Shāh Saḥib* lived, it was considered a great honour and privilege to study under a reputable teacher and *Mawlānā* Maḥmūd al-Ḥasan was the most notable teacher of *Ḥadīth* at *Dār al-ʿUlūm Deoband* at that time.

[39] . Khān, Sayyid Amad, *Tahzī b al-Akhlāq.* Lahore, Islamic Publication. 1959. Vol.2. p.1.

Chapter Two

BIOGRAPHY OF MUḤAMMAD ANWAR *SHĀH* KASHMĪRĪ

2. FAMILY BACKGROUND

Anwar Shāh Kashmīrī's (hereinafter referred to as *Shāh Ṣāḥib*) forefathers migrated to India from Baghdād (ʿIrāq) some two hundred and fifty years ago. They travelled through to different regions in India before they finally chose to settle in Kashmir. *Shāh Ṣāḥib*'s great grandfather, *Shaykh* Masʿūd Narwarī, was a saintly figure in Narwara, a suburb of Sri Nagar, capital of Kashmir. He was a master tradesman and was called *Mālik al-Tujjār* (king of tradesmen). In 1568, his grandfather took *bayʿah* (allegiance) in the *Naqshbandī Ṣūfī* Order on the hands of Shāh Kirmān Abū al-Fayāḍ who lived in Kashmir and was known as *Ra'īs al-'Awliyā'* (head of the saints).

Shāh Ṣāḥib genealogy can be traced back to Nuʿmān *Ibn* Thābit (150/773) who was popularly known as *Imām* Abū Ḥanīfah.[1] His

[1]. Qāsim, Mas`ūd Aḥmad. *Ṣīrat-i- Anwar*. Deoband. Idārat-i-Hādī, n.d. p. 9.

genealogy is found in *Shāh Ṣāḥib*'s two works, namely, *Nayl al-Farqadayn (Clarity on the Question of Raising of the Hands in Ṣalāh)* and *Kashf al- Satr (Lifting the Curtains from the Question* of *Ṣalāt al-Witr)*.[2]

Shāh Ṣāḥib's father, *Shaykh* Muʿaẓẓam *Ibn Shāh* ʿAbd al-Karīm *Ibn Shāh* al-Khāliq Ibn Shāh Muḥammad Akbar *Ibn* ʿĀrif *Ibn Shāh* Haydar ʿAlī *Ibn Shaykh* ʿAbd Allāh *Ibn Shaykh* Masʿūd Narwī al-Kashmīrī, was born in the district of Muẓaffar Nagar, in a place called Kirnaw. He too was of a saintly nature and was the follower of the *Suhrawardī Silsilah* (a *Ṣūfī* Order). Many inhabitants of Kashmir received spiritual guidance from *Shāh Ṣāḥib*'s father who passed away at the ripe age of 115 and is buried in Wirnu, Kashmir.[3]

2.1 BIRTH AND EDUCATION

Shāh Ṣāḥib was born in the beautiful valleys of Kashmir on 27 *Shawwāl* 1292/26 November 1875 in a village called Dudwan which is

2. Bijnūrī, Sayyid Aḥmad Riḍā. *Anwar al-Bārī*. Gujranwala. Maktab-i-Ḥafizīyat. 1981, p. 231.
3. *Naqsh-i-Dawām*, op. cit., p. 27.

near Kapwara in the valley of Lawlab. His parents were practicing Muslims and thus he grew up in a religious environment. At the tender age of five, his father taught him the recitation of the *Holy Qur'ān* and at the age of seven he instructed him in *Farsī* (Persian language).

After mastering *Farsī*, he studied Arabic grammar, *fiqh* (Islamic Jurisprudence) and *uṣūl al-fiqh* (Principles of Islamic Jurisprudence) under *Mawlānā* Ghulām Muḥammad Rasunipura. *Shāh Ṣāḥib* was so enthusiastic in his intellectual pursuits that within two years he had acquired basic grounding in these subjects.[4]

It was during that early period of his life that his unusual talent and memory were manifested. For example, his father stated that while his son was studying *Mukhtasar al-Qudūrī* (an abridged version of a *Ḥanafī* Manual on Islamic Jurisprudence), he would ask him challenging *fiqh*-related questions which compelled him to consult other voluminous Islamic Jurisprudence works in order to satisfy his son's intellectual curiosity.[5]

4. Binūrī, Muḥammad Yūsuf. *Mushkilāt al-Qur'ān*. Maligaon. 'Ilmī Press. 1974, p. 5.
5. *Ṣīraṭ-i-Anwar*, op. cit., p.10.

In 1887, after completing his primary Islamic education in Kashmir, *Shāh Ṣāḥib* travelled to Hazarah in quest of higher Islamic learning. Since he was only 13 at that time, the physical separation from his parents was extremely hard upon him and his parents.[6]

Hazarah was then considered to be the centre for where one could obtain higher Islamic education. It was there that some prominent Islamic scholars conducted classes in the different branches of Islamic sciences. *Shāh Ṣāḥib* studied in that district for a period of three years, but his great thirst for knowledge could not be fulfilled there. Thus, once his teachers notified him about *Dār al-ʿUlūm* Deoband, he made up his mind to further his studies at that institution.[7]

In 1889, he arrived at Deoband. During the early years of the establishment of the *Dār al-ʿUlūm* Deoband, there were no boarding and lodging facilities for the students. *Shāh Ṣāḥib* had no acquaintance in the city of Deoband and thus he had no other option but to reside temporarily in *Masjid Qāḍī*, a mosque situated within the proximity of

[6]. Arshad, ʻAbd al-Raḥmān. *Bis Bare Musalmān.* Karachi. Maktab-i-Rashīdiyah. 1975, p. 380.
[7]. *Anwar al-Bārī*, op.cit., p. 237.

Dār al-ʿUlūm Deoband.[8] *Shāh Ṣāḥib* led the *ṣalāh* (the five daily congretional prayers) at that mosque, cleaned it and looked after its general affairs. It was while he was residing at that mosque that one of the trustees of the mosque, namely, *Qāḍī* Aḥmad Ḥusayn, introduced him to *Mawlānā* Maḥmūd al-Ḥasan. This is how he came to be a student of that renown Muslim scholar who himself had studied under two notable scholars of that time namely, *Mawlānā* Qāsim Nanotwi and *Mawlānā* Rashīd Aḥmad Gangohi. Besides studying under *Mawlānā* Maḥmūd al-Ḥasan, *Shāh Ṣāḥib* also studied under *Mawlānā* Khalīl Aḥmad Saharanpuri, *Mawlānā* Ishāq Amratsari[9] and *Mawlānā* Ghulām Rasūl. *Mawlānā* Ghulām Rasūl hailed from Hazarah which is today part of the Northwest Province of Pakistan. He completed his studies at *Dār al-ʿUlūm Deoband* in 1885 and three years later, in 1888, he was appointed as a teacher at that institution where he taught for 30 years. He passed away in Deoband in 1918.

Mawlānā Khalīl Aḥmad Saharanpuri was born in 1852 in Ametha, U.P., India. He was a descendant of *Sayyidunā* Ayyūb al-Anṣārī (r.a.). He had

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8. *Naqsh-i-Dawām*, op. cit., p. 30.
9. Not much information is available about *Mawlānā* Ishāq Amratsari.

his rudimentary education in his village where he was also introduced to basic Arabic and *Farsi* under the supervision of his uncle, *Mawlānā* Anṣar ʿAlī. In 1868 when *Dār al-ʿUlūm Deoband* was newly established, he took admission there, but he complete his studies *Maẓāhir al-ʿUlūm* in Saharanpur, U.P., India. It is said that he memorized the *Holy Qur'ān* in only one year. He then returned to *Dār al-ʿUlūm Deoband* in order to specialize in *Ḥadīth*. He taught in several Islamic institutions and in 1906 he returned to Saharapur where he spent 19 years before finally emigrating to *Madīnah al-Munawwarah*, in the present day Saudi Arabia, where he passed away in 1927.

However, it was only in 1894 that *Shāh Ṣāḥib* was exposed to the classical works of *Ḥadīth* literature, for example, *al-Jāmiʿ al-Ṣaḥīḥ* of *Imām al-Bukhārī*, and *Sunan al-Tirmidhī*, and *Tafsīr* (exegesis) works, for example, *al-Jalālayn*. These works were included in the curriculum so as to enable the students to have an in-depth insight into the original sources of Islam.

After his formal education at *Dār al-ʿUlūm Deoband*, *Shāh Ṣāḥib* moved to Ganghoh where he continued his studies in *Ḥadīth* under *Mawlānā* Rashīd Aḥmad Gangohī. It was here that he received spiritual guidance under that renowned scholar. In all, *Shāh Ṣāḥib* spent ten years studying the various Islamic sciences and thoroughly mastered them.

2.2 TEACHING CAREER

Shāh Ṣāḥib taught Islamic sciences at *Madrasah Amīnīyah* which is located at the *Sunahri Masjid* (Golden Mosque) in a suburb of the city of Delhi. This institution was founded in 1892 and named after its founder *Mawlānā* Amīn al-Dīn who was a close friend of *Shāh Ṣāḥib*. He appointed *Shāh Ṣāḥib* as the first *Sadr al-Mudarrisīn* (Head of the Teaching Staff) at that institution. *Mawlānā* Amīn al-Dīn was born in 1864 in Aurangabad, Deccan, India. In 1884 he enrolled as a student at *Dār al-ʿUlūm Deoband* and completed his studies in 1891. In 1892 he established *Madrasat al-Amīnīyah* in Chandani Chowk, a suburb of Delhi. He passed away on the 6th of June 1920.

In 1902, *Shāh Ṣāḥib*'s mother passed away and upon receiving that information he returned to Kashmir. When he arrived in Kashmir he witnessed the pathetic condition and plight of Muslims. He made up his mind then and there to settle in Kashmir and serve the Muslims who resided in his birthplace. He took up a teaching post at *Madrasah Fayḍ ʿĀm* in Bara Mawla and was attached to that institution for three years before undertaking his first overseas trip to Ḥijāz in 1905 along with a large group of Muslims for the purpose of performing *Ḥajj* (Pilgrimage to Makkah).[10]

During his sojourn in the holy cities of Makkah and Madīnah, he visited various libraries and Islamic educational institutions and met some notable scholars like *ʿAllāmah Shaykh* Ḥasan Tarabulasī who was a great scholar of *Ḥadīth*.

In 1908 *Shāh Ṣāḥib* contemplated emigrating to the holy city of Madīnah and felt that he should first pay a courtesy call on his teacher and mentor, *Mawlānā* Maḥmūd al-Ḥasan, at *Dār al-ʿUlūm Deoband* in

10 . For a detailed account of *Shāh Ṣāḥib* journey in the Holy Cities see Muḥammad Yūsuf Binūrī's *Nafḥtat al-ʿAnbar*, op. cit., pp. 9-10.

order to obtain his permission and blessings. *Mawlānā* Maḥmūd al-Ḥasan, however, discouraged him to emigrate to Madīnah and insisted that *Shāh Ṣāḥib* should rather leave Kashmir and settle in Deoband. He offered him a lecturing post at *Dār al-ʿUlūm Deoband* and out of respect for his teacher, he accepted the post reluctantly. During his first year as a teacher at the *Dār al-ʿUlūm Deoband,* he was assigned the task of teaching three of the six Authentic Collections of *Ḥadīth*, namely *Al-Jāmiʿ al-Ṣaḥīḥ* of *Imām* Muslim, the *Sunan* of *Imām* al-Nasā'ī, and the *Sunan* of *Imām* Ibn Mājah.

Within a few months after *Shāh Ṣāḥib* began teaching at *Dār al-ʿUlūm* Deoband, his teacher, *Mawlānā* Maḥmūd al-Ḥasan, became extremely involved in politics. *Mawlānā* Maḥmūd al-Ḥasan's involvement in the politics of independence movement of India incurred him the hostility of the British and thus he was forced to emigremigrate

at *Dār al-ʿUlūm* Deoband felt that during the absence of *Mawlānā* Maḥmūḍ al-Ḥasan, *Shāh Ṣāḥib* ought to be given the added responsibility of teaching *Al-Jāmiʿ al-Ṣaḥiḥ of Imām* al-Bukhārī and the *Sunan of Imām* al-Tirmidhī. This gave *Shāh Ṣāḥib* an ideal opportunity to effect a change in the methodology of teaching the science of *Ḥadīth.*

His innovative method of teaching attracted large number of students from every corner of India. He was then accredited as *Shaykh al-Ḥadīth*[11] (a title given to an expert in the field of *Ḥadīth*). It was in that same year (1908) that *Shāh Ṣāḥib* got married. His wife belonged to a respectable family in Ganghoh.

During the eighteen years that he spent teaching at Deoband, he was instrumental in producing some prominent scholars in the field of *Ḥadīth*. As many as 2 000 students qualified under him, some of whom are: *Mawlānā* 'Abd al-Qādir Raipuri,[12] *Muftī* Muḥammad Shafī' 'Uthmānī,[13] *Mawlānā* Manāẓir Aḥsan Jilānī,[14] *Mawlānā* Idrīs Khandelwī,[15] *Mawlānā* Badr-i-'Ālam,[16] *Mawlānā* Muḥammad Yūsuf

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[11]. Al-Ḥasanī, 'Abd al-Ḥayy Fakhr al-Dīn. *Nuzhat al-Khawāṭir*. Karachi. Aṣaḥḥ al-Maṭābi'. 1976, p. 82.

[12]. *Mawlānā* 'Abd al-Qādir Raipuri studied *Sunan al-Tirmidhī* under *Shah Ṣāḥib* at *Madrasah Amīnīya* and later became a great spiritual guide.

[13]. *Muftī* Muḥammad Shafi' 'Uthmānī founded the *Dār al-'Ulūm* in Karachi, Pakistan and was the author of the famous *Tafsīr Ma'ārif al-Qur'ān*). He passed away in 1976.

[14]. *Mawlānā* Manāzir Ahsan Jilānī was a lecturer at the 'Uthmānī University in Hyderabad Deccan, India. He passed away in 1952.

[15]. *Mawlānā* Idrīs Khandelwi taught *Hadīth* at *Dār al-'Ulūm* Deoband, established the famous *Jāmī'āh Ashrafīyah* in Lahore, Pakistan, and wrote many books, of which *Talīq al-Sabīḥ* became famous.

[16]. *Mawlānā* Badr-i-'Ālam taught at *Dār al-'Ulūm* Deoband and at Dhabel, was the author of *Fayḍ al-Bārī* which is a commentary on *Ṣaḥīḥ al-Bukhārī* and he finally migrated to Madīnah where he passed away in 1965.

Binūrī,[17] *Muftī* ʿAtīq al-Raḥmān,[18] *Mawlānā* Manẓūr Nuʿmānī,[19] and *Qārī* Muḥammad Ṭayyib.[20]

Shāh Ṣāḥib, besides being engaged in teaching, also devoted some of his time in the propagation of Islam. He delivered public lectures on Islam in various parts of India and also produced some literary works in defence of Islam. His works are discussed in chapter three of this dissertation.

In 1927 *Dār al-ʿUlūm Deoband* was beset with administrative problems. Soon after the demise and retirement of the founders of *Dār al-ʿUlūm Deoband*, that institution was treated by some as family property, rather than a national asset held in trust. Overall control of its administration was in the hands of one family, but internal strife within that particular

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[17]. *Mawlānā* Muḥammad Yūsuf Binūrī studied under *Shāh Ṣāḥib* at the *Dār al-ʿUlūm* in Dhabel and *Shāh Ṣāḥib* appointed him to teach *Ṣaḥīḥ al-Bukhārī* after he retired from teaching at that institution. He was a notable author and wrote *Maʿārif* al-*Sunan* which a commentary on *Sunan al-Tirmidhī*. He also founded the *Jāmīʿāh Islāmīyah* in Newtown, Karachi, Pakistan. He passed away in Karachi in 1977.

[18]. *Muftī* ʿAtīq al-Raḥmān taught at *Dār al-ʿUlūm* Deoband and at the *Dār al-ʿUlūm* in Dhabel and he was a *Mufassir* (commentator) of the *Holy Qur'ān*, and gave juridical rulings on Islamic legal matters.

[19]. *Mawlānā* Manẓūr Nuʿmānī was a notable Indian scholar and author.

[20]. *Qārī* Muḥammad Ṭayyib became the Principal of *Dār al-ʿUlūm* Deoband and served that institution for 50 years. He was also a notable orator and author.

family greatly pained *Shāh Ṣāḥib*. Thus, he and some other prominent teachers like *'Allāmah* Shabbīr Aḥmad 'Uthmānī (d.1949),[21] *Mawlānā* Badr-i-'Ālam (d. 1965), and *Mawlānā* Sirāj Aḥmad and *Mawlānā* Ṣaif al-Raḥmān (d. 1948) decided to leave Deoband and chose to settle in Dhabel, Gujerat, India.[22]

Mawlānā Muḥammad *Ibn* Mūsā Mia Afrīqī[23] was instrumental in convincing *Shāh Ṣāḥib* to take up a teaching post at the *Dār al-'Ulūm* in Dhabel. After *Shāh Ṣāḥib* joined the *Dār al-`Ulūm* in Dhabel, students from all over the world began to flock to Dhabel and within a short space of time, it became a renown institution of higher Islamic learning. Upon his arrival in Dhabel, *Shāh Ṣāḥib* observed that Muslims in the Gujerat district of India were engaged in some practices that were not in conformity with the Islamic concept of *tawḥīd* (Oneness of *Allāh*).

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21. *Mawlānā* Shabbīr Aḥmad 'Uthmānī was born and educated in Deoband. He studied under *Mawlānā* Maḥmūd al-Ḥasan. Later, he also taught *Ḥadīth* and *Tafsīr* at *Dār al-`Ulūm* Deoband and at *Dār al-`Ulūm in* Dhabel. He was author of *Fatḥ al-Mulhim*, a commentary on *Ṣaḥīḥ Muslim*. He was equally involved in politics and a member of the first Parliament in Pakistan. He passed away in 1949.

22. *Anwar al-Bari*, op.cit. Vol. 2, p. 238.

23. *Mawlānā* Muḥammad Mia's father was originally from Simlak, a village near Dhabel. *Mawlānā* Mia later migrated to South Africa and became a very successful businessman. He studied in *Dār al-`Ulūm* Deoband under *Shāh Ṣāḥib*. When *Mawlānā* Mia returned to South Africa he established the Waterval Islamic Institutite, which is popularly known as Mia's farm, in Gauteng, South Africa. He passed away in South Africa in 1963.

Thus, he spent his spare time educating the lay Muslims and enlightened them on the *Sunnah* of the Prophet (s.a.w.s.).

2.3 HIS DEMISE

After spending five years teaching in Dhabel, *Shāh Ṣāḥib* became very ill. He took leave of absence and returned to his home in Deoband, where both the *ḥakīms*[24] and allopathic doctors, such as Dr Mukhtār Aḥmad Anṣārī, sought to attend to his medical condition.

On Sunday 2nd *Safar* 1352/27 May 1933, after the *'Aṣar Ṣalāh* (late evening prayer before sunset), Qārī Muḥammad Ṭayyib and a group of students visited the ailing *Shāh Ṣāḥib* at his home. The students were eager to learn from *Shāh Ṣāḥib* and although they noticed that he was very sick, they nevertheless posed a number of questions to him on many an issue. *Shāh Ṣāḥib* obliged and responded to their questions satisfactorily. During that same night, at midnight, his condition worsened and he breathed his last.

[24]. Physicians who practise Eastern medicine.

News of *Shāh Ṣāḥib*'s passing away spread like wild fire throughout India. The following morning *Mawlānā* ʿAbd al-Aḥad, a teacher at *Dār al-ʿUlūm Deoband* and *Ḥāfiẓ* Muḥammad Sharīf gave him the ceremonial bath (*ghusl*) and after the *Ẓuhr Ṣalāh* (the mid-afternoon prayer) his *janāzah* (funeral) prayer was performed by *Mawlānā* Asghar Ḥusayn (d. 1945).[25]

Shāh Ṣāḥib lies buried in an orchard in the outskirts of Deoband, located close to the *ʿId Ghāh.*[26] It was *Shāh Ṣāḥib*'s last wish that he be buried at that particular place because it was in that very orchard that he often spent his time studying and relished its delicious fruits. In order to fulfil her dying husband's wish, *Shāh Ṣāḥib*'s wife sold some of her valuables and purchased that particular orchard on the morning of his demise. A room made out of mud existed in that orchard and it was rumoured that he used to spend hours in that room studying during his student days in Deoband. It is near that particular room that he lies buried. Later on, *Mawlānā* Muḥammad Mia, who was one of his close students and

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[25]. *Mawlānā* Asghar Ḥusayn was born in Deoband in a very pious family. His grandfather was a colleague of *Mawlānā* Qāsim Nanotwi. *Mawlānā* Asghar was a student of *Mawlānā* Ḥusayn Aḥmad Madanī, and later taught *Sunan Abī Dā'ūd* in Deoband.

[26]. A place where Muslims congregate to perform the festival prayers, namely *ʿĪd al-Fiṭr* and *ʿĪd al-Aḍḥā.*

associates, financed the renovation of that room in order that the caretaker of that newly found graveyard could be housed in it. Several other members of *Shāh Ṣāḥib*'s family have since then been buried in that particular graveyard.

It is also rumoured that he was buried in that particular place and not in the Qāsimī cemetery, where the other *ʿulamā'* of Deoband are buried, because of his differences with them. However, that view is not tenable in view of the fact, as mentioned earlier, he had requested that he be buried in that particular orchard because he used to frequent it in order to study and he also enjoyed its fruits.[27]

News of his demise appeared in practically all major newspapers and condolences poured in from all over the Muslim world in which sadness were expressed at the loss of such an eminent Muslim scholar.

2.4 EULOGIES

The renown poet *ʿAllāmah* Muḥammad Iqbāl, derived immense

[27]. *Naqsh-i-Dawām*, op. cit., p. 49.

spiritual and intellectual benefit through his association with *Shāh Ṣāḥib*. When *Shāh Ṣāḥib* decided to leave Deoband, he tried to persuade him to migrate to Lahore.[28] When he learnt of *Shāh Ṣāḥib*'s demise, he penned down the following words:

> Muslims have not seen the like of this great scholar during the last five hundred years.[29]

Mawlānā Shabbīr Aḥmad ʿUthmānī had this to say about *Shāh Ṣāḥib*:

> Not only have the students been deprived of a great teacher but the learned ones too have lost a great guide.[30]

Mawlānā Ḥusayn Aḥmad Madanī (d. 1958)[31] was asked to speak at a gathering after the demise of *Shāh Ṣāḥib*, but was so overcome with

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[28]. *Anwar al-Bārī*, op. cit., Vol. 2, p. 245.

[29]. *Naqsh-i-Dawām*, op. cit., p. 57.

[30]. Bijnūrī, SayyidAḥmad Riḍā. *Malfuẓāt-i-Muḥaddith Kashmirī.* Karachi, Da`wat-i-Islam, n.d., p. 37.

[31]. *Mawlānā* Ḥusayn Aḥmad Madanī was born and brought up and studied at Deoband and was a student of *Mawlānā* Maḥmūd al-Ḥasan. In 1898 he migrated to Madīnah where he studied for everal years. In 1327 he returned to Deoband and taught *Ḥadīth* until his death at the age of 84 in 1958.

emotions that he could not compose himself, he broke down in tears and was unable to speak. The only words that he could utter were: "The *'ulamā'* and students have become orphans today."[32]

Mawlānā Anẓar Shāh, the youngest son of *Shāh Ṣāḥib*, have recorded in his work *Naqsh-i-Dawām* the poems that were composed in honour of his father and practically all messages of condolences that were received after his demise.

2.5 *SHĀH ṢĀḤIB*'S CHILDREN

Shāh Ṣāḥib had five children, three boys and two girls. His eldest daughter ('Ābidah Khatūn) died at the age of twenty-five in Bijnor where she was married. His eldest son, *Mawlānā* Azhar Shāh is the editor of the periodical *Dār al-'Ulūm* Deoband. His second daughter (Rāshiḍah Khatūn) is married to *Mawlānā* Sayyid Aḥmad Riḍā of Bijnor who is the author of *Anwār al-Bārī*, a commentary on *Ṣaḥīḥ al-Bukhārī*. His second son (Muḥammad Akbar) passed away at a young

[32]. *Naqsh-i-Dawām*, op cit., p. 59.

age and his youngest son *Mawlānā* Anẓar Shāh lectures at the *Waqf Dār al-`Ulūm* in Deoband and is an acclaimed author.

2.6 *SHĀH ṢĀḤIB*'S CHARACTER

Shāh Ṣāḥib was of medium height and was strongly built. He had a broad forehead and a thick beard that covered his entire face. On the whole, *Shāh Ṣāḥib* had pleasant physical features.

He was utterly simple in his manners and honest in his dealings. He was eloquent in speech and had a warm personality. He was a source of inspiration for everyone who came into contact with him. People from all walks of life loved and respected him.

Throughout his life, he tried to uphold the teachings of the Prophet Muḥammad (s.a.w.s). *Mawlānā* Qārī Muḥammad Ṭayyib noted that practical application of many of the *sunnah* of the Prophet (s.a.w.s.) could only be understood after observing *Shāh Ṣāḥib* putting them into practice.

For many years *Shāh Ṣāḥib* was paid for his teaching services at the *Dār al-ʿUlūm Deoband* in the form of two meals that were prepared in the principal's house and sent to him. He never complained about the food, nor did he ever request for any special meal. He led a very pious and humble life.[33]

He held the rich and the poor on equal footing. He refused to accept any position of leadership. Although *Shāh Ṣāḥib* possessed vast knowledge, he was devoid of any streak of arrogance. Everyone could meet him without having to make any prior appointment. *Shāh Ṣāḥib* was endowed with a special gift of communicative power and the aptitude to illustrate his stance on any particular issue. His contemporaries often turned to him for guidance in resolving some important religious problems.

While it is true that an individual's fame rests upon one's good deeds and noble qualities, *Shāh Ṣāḥib*'s fame rests primarily upon his dedication to knowledge and literary works. He has left his name

[33]. Ṭayyib, Qārī Muḥammad. *Nūr-al-Anwar.* Deoband. Idarat-i- Hādī, n.d., p. 75.

embossed on the pages of history like many other classical Muslim scholars, namely, *Imām* al-Rāzī, Ibn al-ʿArabī, *Imām* al-Bukhārī and *Shāh* Walī Allāh. *Shāh Ṣāḥib* always displayed reverence and respect for Islamic texts and religious literature. From the very tender age of seven, he did not touch them without first performing the *wuḍū* (ablution).[34]

He had profound reverence for all his teachers. He often said that he considered himself to be the slave of that person who taught him something, even if it was only one word.[35]

2.7 VIEWS OF SCHOLARS

Mawlānā ʿAṭā al-Allāh Shāh Bukhārī was once asked how he could best describe *Shāh Ṣāḥib* and he remarked that the caravan of the Companions (r.a.) of the Prophet (s.a.w.s) was passing by and *Shāh*

[34]. *Naqsh-i-Dawām*, op.cit., p. 75.
[35]. Ibid, p. 81.

Ṣāḥib was left behind. Thus indicating that *Shāh Ṣāḥib* possessed pious qualities.[36]

Mawlānā Sayyid Aḥmad Riḍā of Bijnor, *Shāh Ṣāḥib*'s son-in-law, who spent sixteen years in the company of *Shāh Ṣāḥib*, maintains that *Mawlānā* Shabbīr Aḥmad ʿUthmānī was the one benefited the most from *Shāh Ṣāḥib*'s knowledge. According to him, the *tafsīr* (exegesis of the *Holy Qur'ān*) which has been written by *Mawlānā* Shabbīr Aḥmad ʿUthmānī is replete with *Shāh Ṣāḥib*'s opinions.[37]

Mawlānā Ashraf ʿAlī Thanwī (d. 1935), a contemporary of *Mawlānā* Aḥmad Rashīd Ganghohī and *Mawlānā* Qāsim Nanotwī, mentioned that after he had listened to one of *Shāh Ṣāḥib*'s discourses there was no doubt in his mind that books could be compiled on every sentence that was uttered by *Shāh Ṣāḥib*. Although *Mawlānā* Ashraf ʿAlī Thanwī was *Shāh Ṣāḥib*'s senior, he would attend *Shāh Ṣāḥib*'s lectures whenever he visited Deoband. *Mawlānā* Ashraf ʿAlī Thanwī was so moved by the personality of *Shāh Ṣāḥib* that he remarked that by virtue

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36. *Malfuẓāt-i-Muḥaddith Kashmirī*, op. cit., p. 39.
37. ʿUthmānī, Shabbīr Aḥmad. *Al-Qur'ān al-Ḥakīm*. Karachi. Taj Art Press, n.d., p. 388.

of the fact that *Shāh Ṣāḥib* was a Muslim was ample proof that Islam ought to be the true religion.[38]

Whenever *Shāh Ṣāḥib*'s teacher, *Mawlānā* Maḥmūd al-Ḥasan, noticed *Shāh Ṣāḥib* sitting in his gathering he would ask him to come over to sit beside him and would request the audience to direct their questions to *Shāh Ṣāḥib*. Or, alternatively, he would request that particular student of his (i.e. *Shāh Ṣāḥib*) should verify his answers.[39]

Mawlānā Shāh ʿAbd al-Qādir Raipūrī states that although he studied only for a few days under *Shāh Ṣāḥib*, he found him to be an *āyah of Allāh* (a sign of *Allāh*).[40]

Mawlānā Ḥasan ʿAlī Naqshbandī, who was a student of *Mawlānā* Ganghoh, was of the opinion that if anyone wanted to specialize in *Ḥadīth* then that person would have to enrol as a student of *Shāh Ṣāḥib*.[41]

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38. *Sīrāt-i-Anwar*, op. cit., p. 48.
39. *Malfuẓāt-i-Muḥaddith Kashmirī*, op. cit., p. 41.
40. Ibid, p. 41.
41. Ibid, p. 41.

In 1913 when *ʿAllāmah* Rashīd Riḍā, a former Rector of the renown Al-Azhar University in Cairo, Egypt, was visiting *Nadwat al-ʿUlamā'* in Lucknow, U.P., India, an invitation was extended to him to visit *Dār al-ʿUlūm* Deoband. He accepted the invitation and after spending a few days in Deoband he returned to Cairo and wrote in his Arabic periodical, *al-Manār*, that he had never previously met a greater *Ḥadīth* scholar than *Shāh Ṣāḥib.*[42]

When *ʿAllāmah Muḥaddith* ʿAlī *Ḥanbalī al-Misrī*, who was recognized to be a *ḥafiẓ* (memoriser) of the *Ṣaḥīḥayn* (*Ṣaḥīḥ al-Bukhārī* and *Ṣaḥīḥ Muslim*) visited Deoband, he attended the lectures that were delivered by *Shāh Ṣāḥib* on *Saḥīḥ of al-Bukhārī.* During the course of the lectures he sought explanations from *Shāh Ṣāḥib* on many issues. *Shāh Ṣāḥib* promptly answered his questions in the Arabic language. After the lesson was over, he remarked that he had travelled widely throughout the Arab world and in Egypt and he himself had taught *Sāḥīḥ al-Bukhārī* for ten years, but he had not met any scholar of *Ḥadīth* of the calibre of *Shāh Ṣāḥib.* He further remarked that he tried to test *Shāh Ṣāḥib*'s

[42]. *Malfuẓāt-i-Muḥaddith Kashmirī*, op. cit., p. 42.

knowledge by asking him some difficult questions but was amazed that *Shāh Ṣāḥib* possessed vast knowledge.[43]

Mawlānā Shabbīr Aḥmad ʿUthmānī once said that if anyone were to ask him if he had seen *ʿAllāmah* Taqīʿ al-Dīn Ibn Daqīq al-Dīn or if he had met Ibn Hajar al-ʿAsqalānī then he would reply in the affirmative because having seen and met *Shāh Ṣāḥib* was the same as having seen and met those two illustrious personalities.[44]

ʿAllāmah Sayyid Sulaymān Nadwī (d. 1953) the famous author of the Prophet's biography, namely, *Sīrat al-Nabī*, was full of praise for *Shāh Ṣāḥib*. He mentioned that *Shāh Ṣāḥib* was highly educated, had a great insight, a powerful memory, was a *ḥāfiz of Ḥadīth*, very pious and that *Shāh Ṣāḥib* continued to teach *Ḥadīth* until his death.[45]

43. *Malfuẓāt-i-Muḥaddith Kashmirī*, op. cit., p. 4 2.
44. *Sīrat-i-Anwar*, op. cit., p. 48.
45. *Anwar al-Bārī*, op. cit., Vol. 2, p. 244.

Mawlānā Ḥusayn Aḥmad Madanī said that he had met many great scholars in India and in the Arab world and had lengthy intellectual discussions with them, but *Shāh Ṣāḥib* outshone all of them.[46]

Muftī Kifāyat Allāh (d. 1953)[47] observed that he was not sure whether he would ever meet any scholar who could ever match *Shāh Ṣāḥib.*[48] *Mawlānā* Sayyid Asghar Ḥusayn said that while trying to solve any juridical problem, he would first consult the authoritative works in the libraries and it was only after his failing to find an appropriate answer, would he then seek guidance from *Shāh Ṣāḥib*. Moreover, he remarked that if *Shāh Ṣāḥib* were to tell him that he would not be able to find an answer to his particular question in any source work, then *Shāh Ṣāḥib,* who was an avid reader, was always correct.[49]

ʿ*Allāmah* Kawtharī of Cairo, Egypt, read and studied some articles

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46. *Anwar al-Bārī*, op.cit., Vol. 2, p. 244.
47. *Muftī* Kifāyat Allāh was born in Shah Jahapur, a village in U.P., India. He studied *Ḥadīth* in Deoband. He was one of the founder members of the *Jamʿīāṭ al-ʿUlamā-i-Hind* and a member of the Indian Congress until his death in Delhi at the age of 86 in 1953.
48. *Anwar al-Bārī*, op.cit., Vol.2, p. 244.
49. Ibid, p. 244.

written by *Shāh Ṣāḥib*. When *Shāh Ṣāḥib* eventually visited Egypt, *ʿAllāmah* Kawtharī met him and conceded that *Shāh Ṣāḥib* was the most qualified scholar in deducing the laws of Islamic Jurisprudence from *Ḥadīth* and that *Shāh Ṣāḥib* ranked second only to *Ibn* Humam, the author of *Fatḥ al-Qadīr*.[50]

Mawlānā Khalīl Aḥmad Saharanpuri,[51] while compiling his famous *Bazl al-Majhūd* (a commentary on *Sunan Abī Dā'ūd*), sought the advice of *Shāh Ṣāḥib*.

[50] . *Sirat al-Anwar*, op.cit., p.48

Chapter Three

A SURVEY OF *SHĀH ṢĀḤIB*'S WORKS

3. *SHĀH ṢĀḤIB*'S SCHOLARSHIP

Shāh Ṣāḥib was considered an authority on the *Qur'ān* and *Ḥadīth* and had profound knowledge of the Arabic language and his contemporaries acknowledged his expertise in the various fields of Islamic sciences. He had a passion for books and he visited most of the libraries in India and in other Arab countries in order to acquaint himself with the latest Islamic literature that were then available in the Muslim world.[1]

Shāh Ṣāḥib was an avid reader and his reading speed was far above average. He would daily scan through two hundred pages of *Musnad Aḥmad Ibn Ḥanbal.*[2] What is indeed fascinating is that while conducting his lectures in *Ḥadīth*, *Shāh Ṣāḥib* would quote *Aḥādīth* from *Musnad Aḥmad Ibn Ḥanbal* without having to refer to the written text. He also managed to read the entire *Fatḥ al-Qadīr* (a

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[1]. *Malfuẓāt-i-Muḥaddith Kashmirī*, op. cit., p. 41.
[2]. A collection of *Ḥādīth* by the famous jurist *Imām* Aḥmad Ibn Ḥanbal.

commentary on the *Hidāyah*)[3] within a period of twenty days and mastered it and was in a position to shed light on the various issues that were discussed in it with great ease.[4]

It was common practice among many of the Indian *'ulamā'* to refer to *Shāh Ṣāḥib*'s views and opinions in their literary works. In order to illustrate this fact, it may be suffice to mention, for example, that a scholar of the calibre of *Mawlānā* Shabbīr Aḥmad 'Uthmānī has, in his two works, namely, *Fatḥ al-Mulḥim*[5] and *Fawā'id al-Qur'ān,*[6] included *Shāh Ṣāḥib*'s opinions in order to support his own conclusions on various matters.[7]

Mawlānā Ḥabīb al-Raḥmān (d. 1929)[8] used to refer to *Shāh Ṣāḥib* as a mobile library and *Mawlānā* Muḥammad Yūsuf Binūrī ranked *Shāh Ṣāḥib* among the classical Muslim scholars of the calibre of *Imām*

[3]. A legal manual of Ḥanafī School of Islamic Jurisprudence.
[4]. Qāsimī, Mas'ūd Aḥmad, *Sīrat-i-Anwar*. Deoband, India, Idārat-i-Ḥāḍī, n.d., p. 23.
[5]. A commentary on *Ṣaḥīḥ Muslim.*
[6]. An exegesis of the *Holy Qur'ān.*
[7]. *Al-Naṣīḥāh,*: A Quaterly Periodical. Azadville. South Africa. December. 1993, p. 21.
[8]. An *'ālim* who studied and qualified at *Dār 'Ulūm Deoband.*

Abū Ḥāmid al-Ghazālī (d. 1111), Ibn Hajar, Ibn Taymiyah, and *Imām* al-Rāzī.[9]

3.1 HIS WRITINGS

Shāh Ṣāḥib resolved to dedicate his entire life in the service of Islam and through his writings, he managed to clarify certain issues which kept on puzzling many a Muslim scholar. He tackled the religious controversies that were in vogue during his time in order to guide the Muslim masses. Most of his works were published under the auspices of *Majlis-i-ʿIlmī*, which was an educational academy and was established by *Mawlānā* Moosa Mia in Delhi in 1929. Its primary objective was to gather *Shāh Ṣāḥib*'s manuscripts and to publish and distribute them for wider readership. *Mawlānā* Sayyid Aḥmad Bijnūrī and *Mawlānā* Muḥammad Yūsuf Binūrī were closely attached to that academy until it was finally transferred to Karachi in 1946.[10] *Mawlānā* Tasnīm, the son-in-law of *Mawlānā* Muḥammad Yūsuf Binūrī, headed that academy until his passing away.

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[9]. Binūri, Yūsuf. *Nafḥat al-ʿAnbar*. Deoband, India. Bayt al-Hikmat, n.d., p. 25.
[10]. Bijnūrī, Sayyid Aḥmad. *Anwar al-Bārī*. Deoband. National Printing Press. n.d., p. 282.

Shāh Ṣāḥib's literary works covered a wide range of subjects that were, for example, related to the *Holy Qur'ān*, *'Aqā'id* (Fundamental Beliefs), Metaphysics, Islamic Jurisprudence, Zoology, Poetry and Political thought. Some of his works in the different fields of Islamic Sciences are briefly discussed hereunder:

3.2 *THE HOLY QUR'ĀN*

3.2.1 *Mushkilāt al- Qur'ān* (*Difficulties in* the *Qur'ān*)

Shāh Ṣāḥib spent hours studying the *Holy Qur'ān* on a daily basis, but surprisingly, although he was gifted with a remarkable memory, he never committed the entire *Holy Qur'ān* to memory. A plausible explanation for that can be attributed to the fact that whenever he pondered over the *Holy Qur'ān,* he would become so engrossed in its rhetorics, style and the implications of the divine message that he was left with no free time to be in a position to memorise it.

Mushkilāt al-Qur'ān is predominantly in Arabic, but passages in the Farsī language also appears throughout the work. The main objective

of undertaking to write this work was to interpret only those verses of the *Holy Qur'ān* which are generally considered to be difficult to understand. Thus, while analysing these verses, *Shāh Ṣāḥib* began by first discussing the opinions of some of the notable *mufassirūn* (exegetists) and thereafter he gives his personal view. *Shāh Ṣāḥib* believed that a proper commentary of the *Holy Qur'ān* could best be done in the light of *asbāb al-nuzūl* (causes for the revelation of the verses). Knowing the causes for the revelation of the verses would assist the exegetist to be in a position to relate the Qur'anic verses to contemporary time. A special feature of this particular work is that the author has, in addition, set aside190 verses which, in his opinion, required further discussion and repeated consideration.

Mushkilāt al-Qur'ān was published after *Shāh Ṣāḥib*'s demise by *Majlis-i-ʿIlmī* in Dhabel.[11] *Mawlānā* Aḥmad Bijnūrī edited the manuscript and included in the footnotes a list of all the sources that *Shāh Ṣāḥib* had cited in it. In order to accomplish that, *Mawlānā* Bijnūrī had to read the entire manuscript, trace all the sources and that

[11]. *Naqsh-i-Dawām*, op .cit., p. 298.

turned out to be a tedious task. However, the inclusion of the footnotes has inevitably enhanced the value of this work.

The 228-page book was later republished by one of *Shāh Ṣāḥib*'s renowned students, namely, *Mawlānā* Muḥammad Yūsuf Binūrī with a 38-page introduction. In his introduction, *Mawlānā* Muḥammad Yūsuf Binūrī touches briefly upon *Shāh Ṣāḥib*'s life and his involvement in the study of the *Holy Qur'ān* and discusses all the sciences that are somehow related to the *Holy Qur'ān.* He also touches upon the conditions that qualify a person to write a commentary on the *Holy Qur'ān.* This edition was published by *Majlis al-ʿIlmī* in Delhi, and was printed by Jamāl Press in 1937.[12]

The writer of this dissertation has another edition of this work which was also published by *Majlis-i-ʿIlmī* in 1974 in Maligaon (a village in Surat, India). In this edition, the introductions of both *Mawlānāṣ* Binūrī and Bijnūrī have been included.[13]

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[12]. *Naqsh-i-Dawām*, op .cit., p. 299.
[13] . Kashmirī, Muḥammad Anwar *Shāh. Mushkilāt al-Qur'ān*. Maligaon. Majlis al-ʿIlmī. 1974, pp. 1-139.

The second edition of this work made its appearance in 1996 in and was published by *Majlis-i-ʿIlmī* in Karachi and its distributor was *Idārat al-Qur'ān Wa ʿUlūm al-Islāmiyyah*, Karachi. This second edition comprises of 448 pages.

3.2.2 Shortcomings in *Mushkilāt al-Qur'ān*

There are at least two shortcomings in this work:

1. The use of *Farsi* throughout the work makes it cumbersome reading especially to those who cannot read and write *Farsi*.
2. It is not an exegesis on the entire *Holy Qur'ān.* Its title clearly limits its scope. It is only an attempt to interpret those verses of the *Holy Qur'ān* that are generally held to be difficult to comprehend.

3.3 METAPHYSICS

3.3.1 *Al-Ḍarb al-Khātim ʿalā-Ḥudūth al-ʿĀlam (Final Verdict on the Creation of the Universe)*

This work is a philosophical discussion on the existence of God and the creation of the universe. *Shāh Ṣāḥib* penned this work in 1926 while he was teaching in Dhabel. The aim for writing this work was to refute the theory of creation, which was having an adverse effect on the minds of the Muslim youth, and also on students who were enrolled at the different educational institutions in India and the Arab world. This work was written in Arabic in poetry form and consists of 400 stanzas. It was written in poetry form in order to facilitate the Islamic Studies students to easily grasp its message.

In its introduction, *Shāh Ṣāḥib* mentioned that he would make use of modern scientific and old philosophical arguments in order to prove his case. He further stated that he had read innumerable books on the subject discussed in his work, especially the acclaimed *al-Zawrah* of Jalāl Dawwānī, but found all such literature to be inconclusive. He felt

that his input would be unique.[14] *Al-Ḍarb al-Khātim `alā-Ḥudūth al-'Ālam* was published by *Majlis-i-`Ilmī*, Karachi in 1962 for the first time. Its second edition appeared in 1996 and was published by *Majlis al-Īlmī* in Karachi and its distributor was *Idārat al-Qur'ān Wa 'Ulūm al-Islāmiyyah.*

3.3.2 *Mirqāt al-Taḥrīm li Ḥudūth al-'Ālam (Steps leading to the Creation of the Universe)*

Like the previous work, this work further elaborates upon the question of the creation of the universe. This 62-page work was written in 1932 while *Shāh Ṣāḥib* was teaching in Dhabel and was published by *Majlis-i-'Ilmī* in that very year. In 1938, *Mawlānā* Muḥammad Yūsuf Binūrī presented a copy of this book to *Shaykh* Muṣṭafa Ṣābrī, an Egyptian scholar, who expressed his admiration in *Shāh Ṣāḥib*'s profound philosophical discussion and his insight in the problem.[15]

In the introduction of the previous work *Shāh Ṣāḥib* mentions that the reason for undertaking writing on this topic was to discuss the

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14. *Nafḥat al-'Anbar.* op. cit., p. 125.

15. *Al-Khayr*, a monthly periodical of *Jāmi' Khayr al- Madāris*, Multan, Pakistan, dated July 1993, p. 35.

existence of the universe, how it came about and what was its purpose. In this particular work, *Shāh Ṣāḥib* included numerous verses of the *Holy Qur'ān* and related metaphysical issues are addressed. Although the work is essentially in Arabic, several Persian poems have been included.

It is important to point out here that with the establishment of modern schools by the government authorities and private individuals, it became imperative to voice the opinions of traditional scholars. *Shāh Ṣāḥib*'s input was extremely vital at a time when both the British and the modern educated Muslims were putting the institutions of higher Islamic learning to the test. Its second edition appeared in 1996 in Karachi.

3.4 *AL-'AQĀ'ID* (FUNDAMENTAL BELIEFS)

3.4.1 *Sahm al-Ghayb fi Kayd Ahl al-Rayb (Arrow in the heart of the Sceptics about the hidden)*

Shāh Ṣāḥib always fervently appealed to his co-religionists to live in peace and harmony with each other and to keep away from all forms

of hatred and resentment for each other. He felt deeply grieved whenever he heard that Muslim scholars were fighting and arguing over petty religious issues. This was so because he was of the view that the fundamentals of religion had already been clearly laid down, practised and explained.

Shāh Ṣāḥib undertook to write this 66-page treatise while he was teaching at the *Madrasah Amīniyah* in Delhi. He was then 22 years old. In this work which is written in the Urdu language, he attempted to explain the thoughts and beliefs of *Mawlānā* Qāsīm Nanotwī and *Mawlānā* Khalīl Aḥmad Saharanpuri in relation to the belief in Prophethood. In its conclusion he wrote a few poems in praise of a few *'ulamā* of Deoband. *Majlis-i-'Ilmi* in Karachi published this work.

3.4.2 *Kitāb al-Dhab 'an Qurrat al-'Aynayn (In defence of the coolness of the eyes)*

The *Shī'ah* sect came into existence during the early stages of Islamic history and matured towards the end of the 3rd century *Hijrī* and during the beginning of the 4th century *Hijrī.* One of its beliefs is that

although *Sayyidunā* 'Alī (r.a.), the Prophet's (s.a.w.s.) nephew and son-in-law, was superior to all other *Ṣaḥābah* (Companions of the Prophet (r.a.), he was nevertheless deprived of becoming the first *khalīfah* (successor to the Prophet - s.a.w.s.). It, therefore, became common practice among the *Shiʿites* to slander the Companions of the Prophet (r.a.), especially, the first three Pious Caliphs, namely, *Sayyidunā* Abū Bakr al-Siddīq (r.a.), *Sayyidunā* 'Umar Ibn al-Khaṭṭāb (r.a.) and *Sayyidunā* ʿUthmān Ibn 'Affān (r.a.). Followers of Shiʿism were and are still found in the Indo-Pakistan Subcontinent as well as in other parts of the World and Iran is a *Shīʿī* State.

In order to educate his students and Muslims in general about Shiʿism, *Shāh Ṣāḥib*, in the above book, explains the virtues of these three most illustrious Companions (r.a.) and successors to the Prophet (s.a.w.s.). *Shāh Ṣāḥib* quotes extensively from the *Aḥadīth* of the Prophet (s.a.w.s.) and from the reports of other Companions (r.a.). This book was written in Persian while *Shāh Ṣāḥib* was teaching in Delhi at *Madrasah Amīniyah*.[16]

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[16]. *Naqsh-i-Dawām*, op. cit., pp. 325-326.

Thus the main objective of this work was to caution the Muslims against the *Shīʿī* beliefs and the false accusations against these illustrious Companions (r.a.) for conspiring against *Sayyidunā* ʻAlī and not allowing him to succeed the Prophet (s.a.w.s.). It also refutes the allegations that other Companions (r.a.) did not defend *Sayyidunā* Ḥusayn's (r.a.), *Sayyidunā* ʻAlī's younger son and a grandson of the Prophet (s.a.w.s.), claim to the Caliphate during the rule of *Sayyidunā* Yazīd (r.a.), the son of *Sayyidunā* Muʿāwiyah (r.a.).

3.4.3 *ʻAqīdat al-Islām fī Ḥayāt ʿĪsā (a.s.) (Islamic belief in regard to Jesus being alive)*

The 1857 struggle for independence was suppressed and the British launched a vigorous campaign to spread their culture in India and Islam was regarded to be the greatest threat. The British therefore, went out of their way to support Mirzā Ghulām Aḥmad Qadiyānī (d. 1907) to create a rift amongst Muslims. Born a Muslim, Mirzā Ghulām Aḥmad studied Islam and Comparative Religion. Later on, through his teachings, he began to erode the very foundation of Islamic belief by preaching that divine revelation had not ceased and that he

too was a recipient of divine revelation. He began his movement by first claiming to be a *mujaddid* (religious reformer) and then took the logical step of claiming to be a prophet.

In 1891 he went a step further and claimed that he was the Promised Messiah. In 1902 he went to the extent of claiming to be the best and most perfect Prophet. His British masters assisted in promoting his teachings. In order to curtail this heresy, the '*ulamā*' throughout India launched a concerted campaign to refute and denounce this un-Islamic sect, both in their speeches and writings.

In 1924 when Mirzā Ghulām Aḥmad claimed to be the Promised Messiah, *Shāh Ṣāḥib* undertook to write '*Aqīdat al-Islām fī Ḥayāt ʿĪsā* in Arabic. In this work, he refutes Mirzā Ghulām Aḥmad's claim. Moreover, since that imposter also held the view that *Sayyidunā* ʿĪsā (Jesus – a.s.) died a natural death and lies buried in Srinigar in the occupied Kashmir, *Shāh Ṣāḥib* found it relevant to complete the discussion by adding another part to the book entitled *Ḥayāt al-Masīh bi Mā warada fī al-Qur'ān wa al- Aḥādīth al-Ṣaḥīḥah* (The Life of the

Messiah according to the *Qur'ān* and Authentic Traditions).[17] *Mawlānā* Muḥammad Yūsuf Binūrī wrote a 32-page forward to this 340-page book and republished it in Karachi 1961. *Majlis-i-ʿIlmi* in Karachi republished this work in 1996 and included in the same edition *Shāh Ṣāḥib*'s other work, namely, *Taḥiyāt al-Islām fī Ḥayāt ʿĪsā.*

3.4.4 *Ikfār al-Mulḥidīn (Pronouncement of unbelief against those who deny the basic beliefs of Islam)*

Shāh Ṣāḥib was concerned about the irreligious and atheistic tendencies creeping into the Muslim community in India through the western educational literature. He thus felt that it was imperative for him to write on the basic fundamental beliefs (*ʿaqā'id*) of a Muslim. In this treatise, *Shāh Ṣāḥib* explains those acts and beliefs that could result in one's exclusion from the fold of Islam. In its introduction, *Shāh Ṣāḥib* mentions that he hoped that this work would serve as a guide to correct Islamic beliefs so that Muslims would desist from entertaining such beliefs that could render them to be out of the fold of

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[17]. *Tuḥfat al-ʿAnbar*, op. cit., p. 113.

Islam. This work was also intended to equip his students to uphold the pristine teachings of Islam.[18]

This132-page book was published by *Majlis-i-ʿIlmī* in Delhi in 1931. It was translated from Arabic into Urdu by one of *Shāh Ṣāḥib*'s noted students, namely, *Mawlānā* Muḥammad Idrīs Mirathī and was republished by *Majlis-i-ʿIlmī* in Karachi in 1968. Its second edition appeared in Karachi in 1996.

It may be noted here that this work was written when the issue of *kufr* (i.e. disbelief) was being pronounced on the Qadiyānī movement. In this work *Shāh Ṣāḥib* discusses the Qadiyānī beliefs and illustrates the reasons as to why they are to be regarded to be out of the fold of Islam.

3.4.5 *Taḥiyāt al-Islām fī Ḥayāt ʿĪsā (Greetings of Islam in regard to the living nature of Jesus – a.s)*

Shāh Ṣāḥib wrote *Taḥiyāt al-Islām fī Ḥayāt ʿĪsā* while he was teaching at Dhabel (1932). This 150-page work, like the previous one,

[18]. *Nafḥat al-ʿAnbar*, op. cit., p. 116.

deals with the same subject matter of the Prophet Jesus (a.s.), but contains additional information and arguments.

In its introduction, *Shāh Ṣāḥib* justifies his writing this work by stating that in the previous book on the same subject, he had omitted to discuss some important issues and that the *ummah* needed to be further cautioned about the *kufr* (disbelief) of Mirzā Ghulām Aḥmad Qadiyānī. *Majlis-i-ʿIlmī* in Karachi published this work along with *'Aqīdat al-Islām fī Ḥayat 'Īsā* in one volume in 1996.[19]

3.4.6 *Al-Taṣrīḥ bi mā Tawātara fī Nuzūl al-Masīḥ (Clarification on what has successively been reported on the second coming of 'Īsā (Jesus) –a.s.)*

In this work, *Shāh Ṣāḥib* quotes seventy authentic *Ḥādīth* which are directly related to *Sayyidunā* 'Īsā (a.s.) and his return to this earth. He also quotes the opinions of the Companions of the Prophet (r.a.) on this issue. This work was first published in Beirut with two forwards one by *Shaykh* 'Abd al-Fattāḥ Abū al-Ghuddah (d. 1999) and the other by *Muftī* Muḥammad Shafīʿ (d. 1975). Its second edition was

[19]. Kashmīrī, Anwar Shāh. *Taḥiyāt al-Islām fī Ḥayāt 'Īsā*. Karachi. Majlis-i-ʿIlmī. 1996, p. 39.

published by *Jamʿiyat Taḥaffuẓ Khatm-i-Nubuwat* (Soceity for the Preservation of the Last Prophethood) in Multan, Pakistan, and the date of publication is not mentioned. The only other book written on this topic is by *Qāḍī* al-Shawkānī, the author of *Nayl al-Awṭār.*[20] This work was republished by *Majlis al-ʿIlmī* in Karachi in 1996 with an introduction written by *Mawlānā* Yūsuf Binūrī (d. 1977)and *Shaykh* ʿAbd al-Fattāḥ Abū al-Ghuddā.

3.4.7 *Khātam al-Nabiyīn (Finality of Prophethood)*

The Qadiyānī belief and the propagation of its teachings in Kashmir during the early part of the 20th century disturbed *Shāh Ṣāḥib* and he chose to write this work in the Persian language and it was his wish to dedicate it to the people of Kashmir. *Khātam al-Nabīyīn* deals with the whole concept of the finality of Prophethood as viewed by Islam and also touches upon the qualities of the Prophets (a.s.) of God in general.

Some of *Shāh Ṣāḥib*'s students, such as *Mawlānā* 'Azīz al-Ḥaq Bihārī, *Mawlānā* Manāẓir Aḥsan Ghilānī (d. 1956) and *Ḥakīm* 'Azīz al-

[20]. *Naqsh-i-Dawām*, op. cit. p. 317.

Raḥmān, attempted to translate this manuscript into the Urdu language but none of them was able to accomplish this task.[21]

This 304-page book was written in the Persian language and was finally published two years after the demise of *Shāh Ṣāḥib* by *Majlis-i-`Ilmī* in Karachi. Its Urdu translation was finally accomplished by *Mawlānā* Yūsuf Ludhyānwī and was also included in the same publication. *Mawlānā* 'Atīq al- Raḥmān 'Uthmānī and *Mawlānā* Yūsuf Binūrī wrote the foreword of this work.[22]

Mawlānā 'Atīq al-Raḥmān 'Uthmānī was born in 1901 and brought up in Deoband. He taught for several years in Deoband and headed the *Iftā* (legal) division. He was also one of the founder members of the *Nadwat al-Musannifīn* – a research academy in Delhi, India, and the editor of its monthly journal.

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[21]. *Naqsh-i-Dawām*, op.cit., p. 327.
[22]. *Al-Khayr*, op. cit., p. 34.

3.4.8 *Daʿwat Ḥifẓ al-Īmām (Call to preserve the Faith)*

Three days before *Shāh Ṣāḥib*'s demise, *Imdād-i-Islām* an organisation established for the purpose of combating the Qadiyanism heresy, organised an Islamic conference at the *Jāmiʿ Masjid*, Deoband. The proceedings began after the Friday Congretional Prayer. *Shāh Ṣāḥib* was asked to present a paper on the threat of Qadiyanism, but could not personally attend the conference due to ill health. He, therefore, sent a request that his Urdu paper entitled *Daʿwat Ḥifẓ al-Īmām* be read out to the participants at the conference.

In that paper, *Shāh Ṣāḥib* discussed certain strategies that could effectively be used to counteract the spread of that new un-Islamic sect and how to protect and preserve *Īmān* (faith) in the face of the onslaught of the Qadiyani propaganda. The paper also touched upon a number of topics such as what constitute correct beliefs, the concept of *Īmān* (faith) and *khātam al-nubuwwah* (finality of Prophethood), etc. *Imdād-i-Islām Anjuman* published that paper after *Shāh Ṣāḥib*'s demise and Madīnah Press in Bijnor printed it.

3.5 *AL-FIQH (ISLAMC JURISPRUDENCE)*

Insofar as his juridical writings are concerned, it ought to be mentioned here that *Shāh Ṣāḥib* was very impressed with the works of *Īmām* Muḥammad bin al-Ḥasan al-Shaybānī such as the Muwāttā', al-Athar and al-Ḥujjah. However, although Shāh Ṣāḥib was a staunch Ḥanafī (follower of the Ḥanafī School of Jurisprudence), he equally read the major works of every other juridical school, he also had great regard and respect for Imām al-Shāfiʿī. He was of the view that none could be qualified as a *muftī* (i.e. one who pronounces legal verdicts) unless and until that person had also studied Ibn Nujaym's *al-Barḥ al-Rā'iq*. This work is the voluminous commentary of the *Kanz al-Daqīq*, a lengthy book written on the jurisprudence of *Imām* Abū Ḥanīfah.

3.5.1 *Faṣl al-Khiṭāb Fī Umm al-Kitāb (Final Decision On the First Sūrah of the Holy Qur'ān)*

Faṣl al-Khiṭāb Fī Umm al-Kitāb is the first book written by *Shāh Ṣāḥib* on the law pertaining to the recitation by the *muqtadī* (one who follows the *Imām* in the Congretional prayer) of *Sūrat al-Fātiḥah* (the

Opening Chapter of the *Holy Qur'ān*). There is a *Ḥadīth* which states *lā ṣalāt-illā bi fātiḥāt al-kitāb*[23] (the prayer is not valid unless and until the Opening Chapter of the *Holy Qur'ān* is recited). *Imām* Shāfi'ī held the opinion that the one who follows the *Imām* in the congretional prayer should recite *Sūrat al-Fatiḥah* although the *Imām* recites it audibly or not. In this book *Shāh Ṣāḥib* explains the Ḥanafī position as to why the *muqtadī* is exempted from reciting it.

This 106-page work was completed in two days while *Shāh Ṣāḥib* was teaching in Deoband and was first published in 1918. In this work he collated all the *Aḥādīth* which have direct relevance to the issue in question.

In its introduction, *Shāh Ṣāḥib* states that the *Ḥadīth* of Muḥammad Ibn Isḥāq which pertains to the issue of reciting *Sūrat al-Fātiḥah* while following the *Imām* in the congretional prayers needed to be discussed and that was the very aim for his undertaking to write that particular work. He also discusses at length the other *Aḥādīth* which pertain to

[23]. Al-Sijistānī, Sulaymān *Ibn* al-As'ath. *Sunan Abī Dā'ūd*. Karachi. Ḥakim Muḥammad Sa'īd, n.d., p. 118.

that ruling. In the conclusion mention is made that the aim for his writing that book was in no way meant to refute the ruling of any particular School of Islamic Jurisprudence, but rather to expound upon and clarify the Ḥanafī position on the issue.[24] *Shāh Ṣāḥib* supported the Ḥanafī position that it is not obligatory upon the *muqtadī* to recite *Sūrat al-Fātiḥah* while following the *Imām* in *ṣalāh*, irrespective of the fact that in two of the compulsory daily prayers the *Imām* does not recite it audibly. Its second edition appeared in Karachi in 1996.

3.5.2 *Khātim al-Khiṭāb fi Fāṭīḥāṭ al-Kitāb (Conclusive discussion on the Opening Chapter of the Holy Qur'ān)*

This is *Shāh Ṣāḥib*'s second work on the same subject of the compulsory nature of reciting the Opening Chapter of the *Holy Qur'ān* while praying behind the *Imām*. This work is in the Persian language and was published in Deoband with a forward by one of *Shāh Ṣāḥib*'s prominent teachers, namely *Mawlānā* Maḥmūd al-Ḥasan.

24. Kashmīrī, Anwar Shāh. *Faṣl al-Khiṭāb Fī Umm al-Kitāb*. Karachi. Majlis-i- 'Ilmī. 1996, p. 152.

3.5.3 *Al-Nūr al-Fa'id 'alā Naẓm al-Farā'id (Abundant light on the arrangement of the Laws Inheritance)*

Al-Nūr al-Fa'id 'alā Naẓm al-Farā'id is in the Persian language and deals with the intricacies of the laws pertaining to Islamic Inheritance. A unique feature of this book is that it provides a simplified version of the laws of inheritance. *Shāh Ṣāḥib* chose to write this work in poetry form so as to make it easier for the students to memorize these laws. It consists of 192 stanzas. One of *Shāh Ṣāḥib*'s students, namely *Mawlānā* Fakhr al-Dīn Aḥmad Muradabādī (1972) published this work in Muradabad in 1936.

Mawlānā Muradabadi qualified as a religious scholar at *Dār al-ʿUlūm Deoband* and taught in Muradabad for 47 years. However, after the demise of *Mawlānā* Ḥusayn Aḥmad Madanī in 1957, he was appointed as *Shaykh al-Ḥadīth* at *Dār al-ʿUlūm Deoband.*

3.5.4 *Nayl al-Firqadayn fī Maṣ'alah Raf' al-Yadayn (Clarity on the question of raising of the Hands in Ṣalāh)*

The raising of the hands in *ṣalāh* besides after the *takbīr ūlā*, was a question of dispute among the *fuqahā'* (jurists) and remains a contentious issue to the present time. *Imām* al-Ṣḥāfi'ī was of the view that one should raise one's hands after the *rukū'* (bowing position in formal prayer) while the Ḥanafī school holds a different view. Both the Ṣḥāfi'ī and Ḥanafī Schools substantiate their positions on the basis of the different *Aḥādīth* that have been reported on that issue.

In *Nayl al-Firqadayn fī Maṣ'alah Raf' al-Yadayn*, *Shāh Ṣāḥib* explains all the *Aḥādīth* which are for and against such a practice and concludes by pointing out that the Ḥanafī view ought to be upheld in this regard, i.e. that the hands should be raised only once at the time of the commencement of the *ṣalāh* and that such a practice would be in conformity with the strict *sunnah* of the Prophet (s.a.w.s).

Shāh Ṣāḥib wrote this 145-page work in Arabic while he was teaching in Deoband (1909-1927) and it was published only in 1931 in Dehli.

In its introduction, he states that his intention for writing this book was not to prove that lifting of the hands in *ṣalāh* is correct or incorrect. He conceded that there were *Aḥādīth* that justify both such practices and thus he felt that it was important to clarify the Ḥanafī ruling and opinion on that particular issue. Its second edition appeared in Karachi in 1996.

3.5.5 Basṭ al-Yadayn (Unfolding of both hands in prayer)

This work contains additional research on the ruling pertaining to the unfolding of one's hand while engaged in *ṣalāh*. This 63-page work is in Arabic and it is a sort of supplement to the previous work on the same subject. It was first published in 1932 in Dehli and its second edition appeared in Karachi in 1996.

3.5.6 *Kashf al-Satr ʿan Ṣalāt al-Witr (Lifting the curtains from the question of Ṣalāt al-Witr)*

This work deals with all the stipulations which pertain to the *witr ṣalāh* which forms part of the *Ṣalāt al-ʿIshā'* (the night formal prayer), i.e.

how it ought to be performed, how many *raka`āt* it consists of, etc. In this 100-page work, *Shāh Ṣāḥib* refutes the opinions of Muslim jurists of other Schools of Islamic Jurisprudence and provides proof as to why the Ḥanafī School's stipulation that the *witr ṣalāh* consists of three *raka'āt* is most plausible.[25] This Arabic work was first published in 1934 in Dehli and in 1996 its second edition appeared in Karachi.

3.6 ZOOLOGY

3.6.1 *Khazā'in al-Asrār (Treasures of the Secrets)*

Shāh Ṣāḥib was in the habit of writing notes on any book that he read. *Khazā'in al-Asrār* is in effect *Shāh Ṣāḥib's* notes on *'Allāmah* Kamāl al-Dīn al-Damīrī's book on Zoology entitled *Ḥayāt al-Ḥayawān* (Life of the Animals). This 65-page work was first published by *Majlis-i-'Ilmī* in Delhi. Subsequently, it was translated into Urdu by Dr. Muẓaffar al-Ḥasan Monghiri who had it published by *Idārat-i-Islāmiyah* Press in Lahore, Pakistan.

25. Kashmīrī, Muḥammad Anwar Shāh. *Kashf al-Satr 'an Ṣalāt al-Witr*.Karachi. Majlis-i-'Ilmī. 1996, p. 2.

3.7 POETRY

Shāh Ṣāḥib became interested in poetry from a very young age since his three brothers, namely Yasīn, 'Abd Allāh and Sulaymān, were very keen in poetry and composed their own poems in the Persian language.

While *Shāh Ṣāḥib* was teaching at the *Dār al-ʿUlūm* Deoband he also took part in the poetry sessions that were held under the auspices of the *Nādiyat al-Adab*. *Mawlānā* Iʿẓāẓ 'Ālī Amrohī (d. 1954) was instrumental in initiating these poetry sessions for the benefit of the students.

Shāh Ṣāḥib used to take part in these poetry sessions and was keen to read out his compositions on a regular basis. It is to be noted that many of *Shāh Ṣāḥib*'s books were written in poetry form. *Qaḍī* Zayn al-'Ābidīn Sajjād Mirāthī, a student of *Shāh Ṣāḥib*, had in his possession a collection of *Shāh Ṣāḥib*'s poems, both in Farsī and Arabic. The

daily newspaper *Muhājir* of December 21 1927, published several of *Shāh Ṣāḥib*'s poems.[26]

Shāh Ṣāḥib's unpublished poems in praise of his teachers can be found in *Mawlānā* 'Abd al-Ḥayy's *Nuzhat al-Khawāṭir* and few of his poems also appear in *Naqsh Dawam* on pages 251-270. His compositions in praise of his teachers and the Prophet of Islam (s.a.w.s.) are found in *Mawlānā* Yūsuf Binūrī's *Nafḥat al-'Anbar* i.e. on pages 176 to 216. It is estimated that *Shāh Ṣāḥib* wrote in all some 1 500 poems.

3.8 POLITICS

The economic and socio-religious conditions during *Shāh Ṣāḥib*'s time were far from satisfactory. Muslims in general led their lives in a manner that was radically opposed to the spirit of Islamic teachings. Total absence of unity, apathy towards research and investigation prevailed even among the learned Muslims.

[26] . Al-Ḥasanī, 'Abd al-Ḥayy *Ibn* Fakhr al-Dīn, *Nuzhat al-Khawāṭir*. Karachi. Nūr Muḥammad Press, 1976, p.83.

Muslims were content to blindly follow certain influential personalities with the result that they failed to face the hard realities. Hindu Vedantism, Shiʿite tendencies and vile innovations prevailed upon them.

The discourses of the preachers were always blended with unsuitable hints of mysticism that led them astray from the right path. The *Holy Qur'ān* was recited simply for the sake of attaining blessings and was most of the time kept covered inside precious cloth. Serious thinking and independent approach to the spirit and letter of the law were recklessly ignored, with the result that they fell easy prey to superstitious and innovations. *Shāh Ṣāḥib* maintained that political instability and personal insecurity led the Muslims to adopting such a position.

Thus, *Shāh Ṣāḥib* did not confine his activities merely to preaching and writing of books, but remained vigilant and watchful of the changes that were taking place in the political arena. He always

maintained that Islam could only flourish if a strong political power stood behind it.[27]

From the time the British imprisoned his teacher, *Shaykh al-Hind Mawlānā* Maḥmūd al-Ḥasan, in Malta (1915-1920) and since the establishment of *Jamʿiyat ʿUlamā-i-Hind* in 1914, *Shāh Ṣāḥib* kept close contacts with the political structures of the country. On several occasions he addressed *Jamʿiyat ʿUlamā-i-Hind* and assisted in the formulation of policies and strategies which were to be directed against British rule.[28] His address to *Jam`iyat `Ulamā-i-Hind* in 1927 in Peshawar, which lies in present day Pakistan, was published in the daily newspapers. An extract of his entire speech can be found in *Naqsh-i-Dawām.*[29]

Shāh Ṣāḥib supported the ideologies of the Indian National Congress. In his letters addressed to different political leaders of his time, he

[27] . *Sīrat-i-Anwar*, op.cit., p. 36.
[28] .Ibid, p. 36.
[29] . *Naqsh-i-Dawām*, op. cit., pp. 203-210.

expressed his reservations about a separate Muslim state. These letters can also be found in *Naqsh-i-Dawām*.[30]

3.9 *ḤADĪTH*

Shāh Ṣāḥib's special field of interest and expertise was in *Ḥadīth* and the science of *Ḥadīth*, the writer of this dissertation has thought it appropriate to devote an entire chapter to the contributions of *Shāh Ṣāḥib* in the field of *Ḥadīth* which appears in chapter four of this dissertation.

3.10 UNPUBLISHED MANUSCRIPTS

According to *Mawlānā* Yūsuf Binūrī, there are at least thirteen manuscripts of *Shāh Ṣāḥib* which still remain unpublished to this day.[31] They cover a wide range of topics:

i. *Ḥadīth*: It is alleged that during the period when *Shāh Ṣāḥib* was involved in teaching *Sunan Ibn Mājah*, a compilation of *Ḥadīth* belonging to the Six Authentic Collections of *Ḥadīth*, he penned

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[30]. *Naqsh-i-Dawām*, op. cit., p. 211.
[31]. *Nafḥat al-ʿAnbar*, op. cit., p. 132.

down a short commentary on it entitled *Ḥāshiyah ālā Ibn Mājah*. However, *Mawlānā* Binūrī affirms that that treatise was misplaced and its whereabouts remain unknown.

ii. *Fiqh:* Some of the legal treatises issues pertain to the sacrifice which is offered to someone other than the Almighty *Allāh*; the sacrificing of animals in the name of any other than *Allāh,* a commentary on *al-Ashbah al-Naẓā'ir* of the renown jurist, Ibn Nujaym, and a summary on Ibn Hummām's *Fatḥ al-Qadīr.*[32] However, *Shāh Ṣaḥib* managed to cover upto to chapter on *Ḥajj* (The Pilgrimage) only.

iii. Prose and Poetry: *Shāh Ṣaḥib* used to compose his poetry and included in most of his works Arabic and Persian poems. It is alleged that he penned down a treatise on the rules pertaining to the composition of prose and poetry.

Mawlānā Anẓar *Shāh*, one of *Shāh Ṣaḥib*'s two surviving sons, mentions that most of the unpublished manuscripts of his father were kept in his father's house in Wirnu, Kashmir. However, a fire swept through that village and burnt down many houses, including that of his father, and left many people homeless. He does not mention the year when the fire took place, but affirms that his father's manuscripts were all destroyed as a result of that fire.[33]

[32]. A manual on the Ḥanafī School of Islamic Jurisprudence.
[33]. *Naqsh-i-Dawām*, op. cit., p. 331.

Chapter Four

SHĀH SĀḤIB'S CONTRIBUTIONS IN THE FIELD OF *ḤADĪTH* LITERATURE

Throughout his life, *Shāh Ṣāḥib* displayed the character of a devout and saintly Muslim scholar. He was rigorous in the observance of his religious duties. He never displayed ill temper towards anyone, even when there was sufficient cause for him to do so. With all the good qualities he possessed, *Ḥadīth* was an obsession for him and he sacrificed everything for its sake.

It ought to be noted here that the *Ṣaḥābah* (r.a.) and the later generation of Muslims always had great reverence for *Ḥadīth*. The reason for this is that they were aware of the fact that the *Sīrah* (biography) of the Prophet (s.a.w.s.), his discourses, utterances, actions, silent approval and even his passive conduct, all contributed next to the *Qur'ān*, the second original source of Islam.

Although *Shāh Ṣāḥib* researched, authored and lectured on many diverse subjects and topics, he nevertheless made tangible

contributions in the field of *Ḥadīth*. He made it his duty to practically study all the sciences that were somehow related to *Ḥadīth*.[1]

Shāh Ṣāḥib also studied the main compilations of *Ḥadīth*, such as the *Ṣiḥāḥ Sittah* (The Six Authentic Collections of *Ḥadīth*) and other works such as *Musnad al-Dārmī*, *Musnad Aḥmad Ibn Ḥanbal*, *Muntaqā Ibn Jārūd*, *Mustadrak al-Ḥākim*, *Sunan Dar al-Quṭnī*, *Kanz al-ʿUmmāl* of Ḥusām al-Dīn ʿAlī al-Muttaqī, *Majmaʿ al-Zawā'id* of al-*Ḥāfiẓ* Nūr al-Dīn al-Haythamī, *al-Jāmiʿ al-Saghīr* of *Imām* al-Suyūṭī, *Muṣannaf Ibn Abī Shaybah* and most of the other compilations of *Ḥadīth* and manuscripts that were then available in India and other parts of the Muslim world.[2]

Shāh Ṣāḥib's thirst for the knowledge of *Ḥadīth* also led him to study several hundred commentaries on the *Ḥadīth* compilations.[3] For example, only on *al-Jāmiʿ al-Ṣaḥīḥ* of *Imām* al-Bukhārī alone, he read over thirty different commentaries. Some of these commentaries are the voluminous *Fatḥ al-Bārī* of *al-Ḥafiẓ* Ibn Hajar al-ʿAsqalānī

[1]. *Nafḥat al-ʿAnbar*, op. cit., p. 48.
[2]. Ibid, p. 48.
[3]. Ibid, p. 48.

(13 volumes), *ʿUmdat al-Qārī* of *al-Ḥāfiẓ* Badr al-Dīn al-ʿAynī (11 volumes) and *Irshād al-Sārī of Qāṣṭālānī* (10 volumes).[4]

Although *Shāh Ṣāḥib* was impressed with the commentary of *al-Ḥāfiẓ* Ibn Hajar, he was also critical of him. He was of the view that if Ibn Hajar had not concentrated his efforts on proving the validity of *Imām* al-Shāfiʿī's juristic rulings, his commentary would have been a far better work.[5] Ironically, however, he criticized Badr al-Dīn al-ʿAynī for failing to project the stance of the Ḥanafī School of Islamic Jurisprudence in his *ʿUmdat al-Qārī.*[6]

Shāh Ṣāḥib always maintained that the *Ḥadīth* literature is a monumental treasure of wisdom that serves not only as a commentary on the *Holy Qur'ān,* but also compliments the teachings and injunctions of the *Holy Qur'ān*. Thus it is not at all surprising that Muslims spent so much time and energy in order to collect and compile volumes in which the sayings and practical examples of the Prophet (s.a.w.s.) were preserved. Muslim scholars also took great pains in evolving a system for the critical evaluation of the

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4. *Nafḥat al-ʿAnbar*, op. cit. p. 48.
5. Ibid, p. 50.
6. Ibid, p. 50.

authenticity and veracity of *Ḥadīth* reporters and reports (*ʿilm al-jarḥ wa al-taʿdīl*).

Shāh Ṣāḥib first studied the science of *Ḥadīth* from highly accomplished teachers and thereafter imparted it to others. He strongly felt that his calling was not only to preach the Islamic creed, but also to disseminate knowledge about he Prophet's (s.a.w.s.) way of life. For this, he relied heavily upon the standard collections of *Ḥadīth* and the commentaries of reputed scholars.

As far as the teaching of *Ḥadīth* is concerned, *Shāh Ṣāḥib*'s aim was to solicit guidance from the discourses of the Prophet (s.a.w.s.) and to impart it to the modern educated Muslims. He was concerned to make them aware of how the Prophet (s.a.w.s.) practically implemented the teachings of Islam in his day-to-day life.[7] *Shāh Ṣāḥib* explained and elucidated the import of the traditions of the Prophet (s.a.w.s.) in simple language. He was convinced that the collection and compilation of the traditions did not occur by chance, but was in effect decreed by *Allāh* (SWT) to become a reality. Thus, he explains that this was fulfilled by the *Ṣaḥābah* (r.a.) who actually began

[7] Qasimi, Masʿūḍ Ahmad. *Sīrat-i-Anwar*. Deoband: Idarat-i- Hadi, n.d., p. 37.

memorizing and writing down the traditions during the very lifetime of the Prophet (s.a.w.s.). This legacy was passed on to their successors and thereafter from one generation to another. *Shāh Ṣāḥib* also believed that Muslim scholars were divinely inspired to be inclined towards the traditions so that the sayings and practices of the Prophet (s.a.w.s.) could be disseminated and preserved forever. Thus it was that he devoted his entire life to the studying and teaching of *Ḥadīth*.

4.1 HIS APPROACH TOWARDS THE STUDY AND TEACHING OF *ḤADĪTH*

In the study and teaching of *Ḥadīth* literature, *Shāh Ṣāḥib* made a concerted effort to:

- explain the headings in the *Ḥadīth* compilation of *Imām* al-Bukhārī (i.e. *tarjumat al-abwāb*)
- analyze each *Ḥadīth* thoroughly so as to unravel its legal implication
- identify the *ruwāt* for the benefit of his students
- discuss the import of the *Ḥadīth*.

These salient points are elucidated hereunder:

4.1.1 *Tarjumat al-Awāb* (explanation of the headings)

Shāh Ṣāḥib devoted much effort in explaining the headings of the chapters in the compilation of *Imām* al-Bukhārī. For example, the first chapter is entitled كيف كان بدأ الوحي إلي رسول الله (How was the Beginning of the Revelation to the Messenger of *Allāh*). *Shāh Ṣāḥib* sheds light on why *Imām* al-Bukhārī chose to begin his compilation with such a chapter heading which was actually not the norm amongst the compilers of *Ḥadīth* works. The norm is that one begins with the chapter entitled كتاب الإيمان (The Book of Faith). *Shāh Ṣāḥib* points out that the approach of *Imām* al-Bukhārī was entirely different since he began with the theme of the beginning of the revelation prior to touching upon issues pertaining to faith (*īmān*). While acknowledging the fact that it would be difficult to ascertain the intent of *Imām* al-Bukhārī in doing that, *Shāh Ṣāḥib* nevertheless suggests that *Imām* al-Bukhārī wanted to show that the relationship between *Allāh* and humankind stemmed from revelation and that relationship required humankind to seek knowledge and put what he had learnt into action. Thus, this point comes to the fore in *Imām* al-Bukhārī's arrangement of the chapters. A chapter that deals with knowledge follows the

chapter on the revelation. This is then followed by a detailed survey of action (al-aʿmāl).

Shāh Ṣāḥib goes further and observes that it would have been better for *Imām* al-Bukhārī to entitle the first chapter كيفية الوحي (The Mode of the Revelation) since that is what the bulk of *Aḥādīth* deals with in this chapter.[8]

4.1.2 Legal implication of the *Ḥadīth*

Rulings on the various legal matters are essentially based on the Qur'anic imperatives and *Ḥadīth* reports. In the event that there seemed to be a difference among the various Schools of Islamic Jurisprudence on any particular issue, *Shāh Ṣāḥib* would present the problem with the purpose of minimizing the differences. For example, the *Ḥadīth*: إنما الأعمال بالنيات - Verily actions are judged according to the intentions has been interpreted by the jurists on the basis of their own particular schools of thought. For example, inferring from this *Ḥadīth*, the Shafiʿī school holds the view that intention *(niyyah)*

[8]. Mirathī, Muḥammad Badr-i-ʿĀlam. *Fayḍ al-Bārī*. Cairo. Maṭbaʿah al-Ḥijāzī. 1938. Vol. 1, p. 2.

is compulsory (*farḍ*) at the time when one begins to perform the ablution (*wuḍū'*).[9] The view of the Ḥanafī school is that it is not compulsory for one to make the intention for performing the ablution.[10] *Shāh Ṣāḥib* then explains that since intention does not form part of the Qur'anic imperative that pertains to ablution, it would be in order to conclude that it is meritorious and not compulsory to make the intention for performing the ablution.

4.1.3 Identifying the *ruwāt* (narrators)

When discussing any particular *Ḥadīth, Shāh Ṣāḥib* made a concerted effort to identify the narrators in the *isnād* (chain of authorities reporting the *Aḥādīth*). He also went further and cited the names of the more unfamiliar narrators. For example, in the *isnād* of the very first *Ḥadīth* that appears in *al-Jāmiʿ al-Ṣaḥīḥ* of *Imām* al-Bukhārī, in the chapter entitled :باب رفع العلم وظهورالجهل (The Disappearance of Religious Knowledge and the Appearance of Religious Ignorance)[11] the name of Rabīʿah appears as one of the narrators. *Shāh Ṣāḥib*

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[9]. Ibn Humām, Muḥammad Ibn ʿAbd al-Wāḥid: *Sharḥ Fatḥ al-Qadīr*. Cairo, Maktab Muṣṭafā al-Bābi al-Ḥalabī. 1970. Volume 1, p. 32.
[10]. *Sharḥ Fatḥ al-Qadīr*, op. cit., p. 32.
[11]. Al-Bukhārī, Muḥammad Ibn Ismāʿil. *Ṣaḥīḥ al- Bukhārī*. Cairo. Dār wa Maṭābiʿ al-Shaʿb, n.d. Vol.1, p. 30.

explains *that* Rabīʿah was the teacher of *Imām* Abū Ḥanīfah. Moreover, he also pointed out that *Imām* Mālik *Ibn* Anas also studied Islamic Jurisprudence under the same scholar, namely, Rabīʿah.[12]

4.1.4 Import of the *Ḥadīth*

Shāh Ṣāḥib, commenting upon the *Ḥadīth* "Verily actions are judged according to intentions", points out that this saying of the Prophet (s.a.w.s.) specifically concerned a particular person who migrated from Makkah to Madīnah in order to marry a particular woman, namely, Umm Qays. Thus, the Prophet (s.a.w.s.) wanted to clarify from that *Ḥadīth* that the reward for every action would be according to one's intention. In other words, the man who undertook the *hijrah* (migration from Makkah to Madīnah) would not be recompensed for having acted upon the commandment of *Allāh* (SWT) i.e. to migrate to Madīnah. Hence, that particular person was referred to as *muhājir* Umm Qays for his migration to Madīnah was merely for the sake of marrying Umm Qays.

[12]. *Fayḍ al-Bārī,* op. cit., Vol. 1, p. 177.

4.2 *ḤADĪTH* WORKS

There are in all six *Ḥadīth* compilations that are classified as *al-Ṣiḥāḥ al-Sittah* (The Six Authentic Collections of *Ḥadīth*). Likewise, there are many other compilations of *Ḥadīth* that are also regarded to be important contributions made in the field of *Ḥadīth* literature and are thus included in the curriculum of the Institutions of Higher Islamic Learning throughout the world. While it is important to note that *Shāh Ṣāḥib* did not actually write any book in the field of *Ḥadīth*, one should not overlook the fact that *Shāh Ṣāḥib* taught *al-Ṣiḥāḥ al-Sittah* as well as other works on *Ḥadīth*. His verbal commentaries on these works in the form of dictations/lecture notes were meticulously recorded by some of his dedicated students and were later published. These works continue to benefit teachers and students of *Ḥadīth* alike to this day.

4.3 COMMENTARIES ON *AL-JĀMIʿ AL-ṢAḤĪḤ* OF *IMĀM* AL-BUKHĀRĪ

The most important work of *Ḥadīth* is the authentic compilation of *Imām* Abū ʿAbd Allāh Muḥammad ibn Ismāʿīl al-Bukhārī (d. 256/869) entitled *al-Jāmiʿ al-Mursal min Aḥādīth Rasūl Allāh wa*

Sunnatih. It is regarded to be the most authentic book after the Book of *Allāh,* i.e. the *Holy Qur'ān. Imām* al-Bukhārī accomplished the compilation of this work over a period of sixteen years. The importance of his work can be judged from the fact that no other compilation of *Ḥadīth* attracted so much interest. *Mawlānā* ʿAbd al-Salām Mubarakpuri in his work entitled *Sīrat al-Bukhārī* mentions that as many as 143 commentaries have been written on the compilation of *Imām* al-Bukhārī and he concedes that there may have been more than that.[13] Amongst the foremost commentators on *Imām* al-Bukhārī's work were *ʿAllāmah Ḥāfiẓ Ibn* Hajar al-ʿAsqalānī, *Ḥāfiẓ* Badr al-Dīn *Ibn* Aḥmad al-ʿAynī, *Imām* Fakhr al-Dīn al-Nawawī, *Imām* Abū Sulaymān Khiṭābī and *Ḥāfiẓ* Jalāl al-Dīn al-Suyūṭī.

Among the scholars of Deoband, *Shāh Ṣāḥib* made a singular contribution in expounding upon *al-Jāmiʿ al-Ṣāḥīḥ* of *Imām* al-Bukhārī and succeeded in bringing out the significance of this compilation of *Ḥadīth. Shāh Ṣāḥib*'s lectures in the Arabic language on *al-Jāmiʿ al-Ṣāḥīḥ* were meticulously recorded by one of his

[13]. ʿUthmānī, Shabbīr Aḥmad. *Faḍl al-Bārī.* Karachi. Idārat-i-ʿUlūm Sharqīyah, n.d. Vol. 1, p. 186.

students, namely, *Mawlānā* Badr-i ʿĀlam Mirthi, and was later titled and published as *Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukhārī.*

4.3.1 *Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukharī*

Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukhārī is a commentary on *al-Jāmiʿ al-Ṣāḥīḥ* of *Imām* al-Bukhārī in the Arabic language and was compiled from the dictations/lecture notes of *Shāh Ṣāḥib* by one of his students, namely, *Mawlānā* Badr-i-ʿĀlam Mirthi.

Mawlānā Badr-i-ʿĀlam Mirthī was born in Bidayu in 1898 in South India. In 1947 he migrated to Pakistan and a few years later he migrated to Madīnah, Saudi Arabia, where he passed away in 1965.

At the age of 14, *Mawlānā* Badr-i-ʿĀlam Mirthi was admitted as a student at *Maẓāhir al-ʿUlūm* in Saharanpur, U.P., India. He qualified as an *ʿālim* (Islamic scholar) in 1918 and taught in Saharanpur for two years. In 1920, he enrolled at *Dār al-ʿUlūm Deoband* in order to specialize in *Ḥadīth.* He spent four years at that institution as a student of *Shāh Ṣāḥib.* In 1927 ،when *Shāh Ṣāḥib* moved from Deoband to Dhabel, *Mawlānā* Badr-i-ʿĀlam Mirathi also moved to

Dhabel where he spent five years teaching. While he was engaged in teaching, he enrolled as a student of *Shāh Ṣāḥib.*[14] It was during that period that he undertook to write down the dictations of *Shāh Ṣāḥib*'s commentary on *al-Jāmiʿ al-Ṣāḥīḥ* of *Imām* al-Bukhārī. *Mawlānā* Badr-i-ʿĀlam Mirathī requested *Shāh Ṣāḥib* to revise the dictations which were in manuscript form. The manuscript was titled *Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukhārī* and was later published by *Maṭbaʿah al-Ḥijāzī* in Cairo under the auspices of *Majlis-i-ʿIlmī* in Arabic. Its publication was financed by *Jamʿiyat ʿUlamā'* Transvaal, Fordsburg, South Africa.

4.3.1.1 Special Features of *Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukhārī*

Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukhārī consists of four lengthy volume. Its special features are discussed hereunder:

1. Its first volume consists of a lengthy introduction, which deals with the biography of *Shāh Ṣāḥib* and notes on *al-isnād* (chain of narrators) by *Mawlānā* Muḥāmmaḍ Yūsuf Binūrī. It also includes a biography of *Imām* al-Bukhārī, and the special characteristics of

[14]. Rizvī, Sayyid Maḥbūb, *Mukammal Tārīkh Dār al-ʿUlūm Deoband.* Karachi. Kutub Khānā Maktab-i-ʿIlm wa Adab, n.d. Vol. 2, p. 141.

Imām al-Bukhārī's *Ḥadīth* compilation and other related issues. For example, the total number of *Aḥādīth* recorded in it, and under what conditions it was compiled, etc are discussed.

2. This work gives extensive coverage to *Tarjumat al-Abwāb* in order to acquaint the reader with the relationship that exists between the headings of the chapters and the *Aḥādīth* contained in them.

3. The subject of *ʿaqā'id* (beliefs) is also discussed in great detail so as to impress upon the reader the need for one to have the correct belief as a Muslim.[15]

4. The *ruwāt* (narrators) are identified so that the reader may have an idea as to who they actually were. For example, the chain of narrators that appear in the very beginning of *al-Jāmiʿ al-Ṣāḥīḥ* of *Imām* al-Bukhārī are recorded thus:

"Al-Ḥumaydī ʿAbd Allāh *Ibn* al-Zubayr reported on the authority of Sufyān who reported on the authority of Yaḥyā *Ibn* Saʿīd al-Anṣārī who reported on the authority of Muḥammad *Ibn* Ibrāhīm

[15]. *Fayḍ al-Bārī*, op.cit., p. 72.

al-Taymī who said that he heard ʿAlqamah bin Waqqāṣ al-Laythī say that he heard ʿUmar Ibn al-Khaṭṭāb (r.a.) say from the pulpit……..”[16] In *Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukhari*, al-Ḥumaydī is identified as the teacher of *Imām* al-Bukhārī whose name was in fact ʿAbd Allāh *Ibn* al-Zubayr who died in 219 *Hijrī*. Sufyān is said to be the famous *muḥaddith* (*Ḥadīth* scholar) Sufyān Ibn Uyaynah who was the student of *Imām* Aḥmad *Ibn* Ḥanbal. Yaḥyā *Ibn* Saʿīd al-Anṣārī is identified as the son al-Qays who died in 198 *Hijrī* and was the teacher of both *Imām*s Abū Ḥanīfah and Awzāʿī.[17]

5. Certain omissions of *Imām* al-Bukhārī are also highlighted. For example, it is pointed out that *Imām* al-Bukhārī should have included under the chapter titled as باب السواك all the *Aḥādīth* that pertain to *siwāk* (brushing of the teeth with a tooth-brush in the form of a pencil from the root of a special type of tree known as the Arāk tree). *Imām* al-Bukhārī, on the other hand, chose to include the *Aḥādīth* on *siwāk* at two different places, namely in

[16]. *Fayḍ al-Bārī*, op.cit., p. 176.
[17]. Ibid, p. 177.

كتاب الوضوء (The Book of Ablution) and كتاب الجمعة (the Book of Friday).[18]

6. An effort has also been made to extrapolate a *fiqhī* (legal) ruling, wherever possible, from some of the subjects that have been tackled in *al-Jāmiʿ al-Ṣāḥīḥ* of *Imām* al-Bukhārī. For example, under كتاب الوضوء (Book on Ablution), there is a chapter which is entitle: باب التسمية على كل حال (Chapter: To Recite "In the Name of *Allāh*" During Every Action...)[19] Commenting on whether it is compulsory to mention the *tasmiyyah* (the Name of *Allāh*) at the time of performing the ablution, it is mentioned that *Shāh Ṣāḥib* was of the view that it is not *wājib* (compulsory) to do so and that his view was in conformity with all the *Imām*s of the Schools of Islamic Jurisprudence except *Imām* Aḥmad Ibn Ḥanbal. Likewise, *Shāh Ṣāḥib* went further to explain that amongst the Ḥanafī scholars, only Ibn Hummān, the author of *Fatḥ al-Qadīr*, was of the view that the *tasmiyyah* (the Name of *Allāh*) is a compulsory

[18]. *Fayḍ al-Bārī*, op.cit., p. 344.
[19]. Ibid, p. 243.

component for the ablution to become valid. *Shāh Ṣāḥib* was inclined to believe that *Imām* al-Bukhārī also held that view.[20]

4.3.1.2 Shortcomings in *Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukhārī*

The writer of this dissertation is of the view that while *Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukhārī* is an excellent commentary on the *Ḥadīth* compilation of *Imām al-Bukhārī*, some of its shortcomings may be enumerated as follows:

1. It is in the Arabic language and this makes it inaccessible to the vast majority of lay Muslims. In other words, only Muslim scholars and others who have mastered the Arabic language may derive any benefit from it.

2. The original text of *al-Jāmiʿ al-Ṣāḥīḥ* of *Imām* al-Bukhārī has not been included in *Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukhārī* and hence for the reader to be in a position to make sense of the commentary, he/she would have to have a copy of the *Ḥadīth* compilation of *Imām al-Bukhārī* at hand. This makes it

[20]. *Fayḍ al-Bārī*, op.cit., p. 243.

cumbersome for the reader to refer to both works simultaneously.

3. The author of *Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukhārī* has not included, in some instances, the full title of the chapters and this may result in the reader not being able to grasp the full import of the commentary. For example, on page 79 the title of the chapter is mentioned as:[21] باب المسلم instead of :

باب المسلم من سلم المسلمون من يده ولسانه

4.3.2 *ANWĀR AL-BĀRĪ SHARḤ ʿALĀ ṢAḤĪḤ AL-BUKHĀRĪ*

Anwār al-Bārī Sharḥ ʿalā Ṣaḥīḥ al-Bukhārī is yet another commentary on *al-Jāmiʿ al-Ṣāḥīḥ* of *Imām* al-Bukhārī, but in the Urdu language. Like *Fayḍ al-Bārī ʿalā Ṣaḥīḥ al-Bukhārī*, it was compiled from the dictations/lecture notes of *Shāh Ṣāḥib* by another student of his, namely, *Mawlānā* Sayyid Aḥmad Riḍā *Ṣaḥib* Bijnori.

Mawlānā Sayyid Aḥmad Riḍā Ṣaḥib Bijnori was born in 1907 in

[21]. *Fayḍ al-Bārī*, op.cit., p. 79.

Bijnor, U.P., India. From 1923 to 1926 he enrolled at *Dār al-ʿUlūm Deoband* in order to specialize in *Ḥadīth* under *Shāh Ṣāḥib*. It was during that period that he came to be closely associated to his teacher.

After completing his studies at *Dār al-ʿUlūm Deoband*, he took admission at a College in Karnal, U.P., India in order to study the English language. He spent three years at that College.

In 1929, *Mawlānā* Sayyid Aḥmad Riḍā Ṣaḥib Bijnori became involved with *Majlis-i-ʿIlmī* in Dhabel and remained there serving that academy until 1932. In 1947, he married the youngest daughter of *Shāh Ṣāḥib*. *Mawlānā* Shabbīr Aḥmad ʿUthmānī performed the *nikāḥ* (wedding) ceremony.

It was while *Mawlānā* Sayyid Aḥmad Riḍā Ṣaḥib Bijnori was staying in Dhabel that he wrote down the dictations of *Shāh Ṣāḥib* on *al-Jāmiʿ al-Ṣāḥīḥ* of *Imām* al-Bukhārī. The Urdu manuscript was handed over to *Shāh Ṣāḥib* for it to be revised and was later published in 8 volumes by *Maktab-i-Nāshir al-ʿUlūm* in Deoband.

4.3.2.1 SPECIAL FEATURES OF *ANWĀR AL-BĀRĪ SHARḤ ʿALĀ ṢAḤĪḤ AL-BUKHĀRĪ*

1. Its first volume consists of 240 pages. In its introduction, the history of the compilation of *Ḥadīth* literature and the evolution of *ʿIlm al- Ḥadīth* (The Science of *Ḥadīth* Criticism) is discussed.
2. Short biographies of some one hundred and fifty *Muḥaddithūn* (Scholars of *Ḥadīth*) have also been included in the first volume.
3. It contains the biography of *Imām* al-Bukhārī in its second volume.
4. Short biographies of the *ruwāt* (reporters of *Ḥadīth*) that appear in the *isnād* (chain of narrators) have been included in the second volume.
5. All *Aḥadīth* in the original Arabic text of *al-Jāmiʿ* of I*mām* al-Bukhārī have been includencluded p 19 this work. Moreover, a lit Urdu translation of these *Aḥādīth* have also been included, making accessible to the layman.

4.4 COMMENTARY ON *ṢAḤĪḤ MUSLIM*

Ṣaḥīḥ Muslim was compiled by *Imām* Abū Ḥusayn Muslim Ibn al-Ḥajjāj Ibn Muslim al-Qushayrī al-Nisapuri (d. 261/874) and forms part of *al-Ṣiḥāḥ al-Sittah*. It is ranked second to *al-Jāmiʿ al-Ṣaḥīḥ* of *Imām* al-Bukhārī.

Shāh Ṣāḥib taught *Ṣaḥīḥ Muslim* for several years at *Dār al-ʿUlūm* Deoband and it is important to note that a number of prominent Muslim scholars would travel all the way to Deoband in order to benefit from his lectures on *Ṣaḥīḥ Muslim*. *Mawlānā* Manāẓir Aḥsan Ghilānī recorded *Shāh Ṣāḥib*'s dictations/lecture notes on *Ṣaḥīḥ Muslim*.

Mawlānā Manāẓir Aḥsan Ghilānī was born in 1892 in Ghilan, Bihar, India. He received his basic Islamic education from his uncle, *Ḥakīm* Sayyid Abū Naṣr. In 1906, he travelled to Tong, Rajestan, India, to study under *Mawlānā* Barkāt Aḥmad for a total period of 6 years. In 1913, he enrolled at *Dār al-ʿUlūm Deoband* in order to specialize in *Ḥadīth* under the tutorship of *Shāh Ṣāḥib*. *Mawlānā* Ḥāfiẓ Muḥammad Aḥmad who was a lecturer at *Dār al-ʿUlūm Deoband* arranged for

Mawlānā Manāẓir Aḥsan Ghilānī to be employed as a lecturer at the Osmania University in Hyderabad Deccan, India. After serving that institution for 25 years, he finally retired at Ghilan where he passed away on June 5, 1956.[22]

According to *Mawlānā* Anẓar Shāh, one of the sons of *Shāh Ṣāḥib*, the entire commentary on *Ṣaḥīḥ Muslim* in manuscript form, which was recorded by *Mawlānā* Manāẓir Aḥsan Ghilānī, from *Shāh Ṣāḥib*'s dictations/lecture notes was misplaced and hence it was never published.[23]

4.5 COMMENTARY ON *SUNAN ABĪ DĀ'ŪD*

Sunan Abī Dā'ūd was compiled by *Imām* Abū Dā'ūd Ibn Sulaymān Ibn al-Asʿath al-Sijistānī (d. 275/888). This work is also included in the category of *al-Ṣiḥāḥ al-Sittah*. *Imām* Abū Dā'ūd scrutinized half a million *Aḥādīth* and finally selected only 4 800 to be included in his compilation of *Ḥadīth*. [24]

[22]. *Tārīkh Dār al-ʿUlūm Deoband*, op. cit., p. 120.
[23]. *Naqsh-i-Dawām*, op. cit., p. 107.
[24]. Siddīqī Muḥammad Zubayr. *Ḥāḍīṭḥ Literature , Its Origin and Development and Special Features*. Oxford. The Other Press. 1993, p. 61.

4.5.1 *ANWĀR AL-MAḤMŪD (THE LIGHTS OF THE PRAISEWORTHY)*

Shāh Ṣāḥib taught *Sunan Abī Dā'ūd* at *Dār al-'Ulūm Deoband.* One of his students, namely, *Mawlānā* Ṣiddīq Najīb Abādī recorded *Shāh Ṣāḥib*'s dictations/lecture notes, which were in effect a commentary on *Sunan Abī Dā'ūd* in the Urdu language. Not much is known about *Mawlānā* Ṣiddīq Najīb Abādī. *Mawlānā* Sayyid Aḥmad Riḍā Ṣaḥib Bijnawri, the author of *Anwār al-Bārī*, lists *Mawlānā* Ṣiddīq Najīb Abādī among the important students of *Shāh Ṣāḥib* and also mentions that he was later appointed as *Shaykh al-Ḥadīth* (expert in the field *Ḥadīth*) at *Madrasah Ṣiddīqiyah* in Delhi, India, where he taught for many years.[25]

Once *Mawlānā* Ṣiddīq Najīb Abādī was satisfied that he had recorded everything from the lectures of *Shāh Ṣāḥib* on *Sunan Abi Dā'ūd*, he handed over the manuscript which spanned over one thousand pages for his perusal and requested him to revise it. *Shāh Ṣāḥib* suggested certain corrections and gave his approval for it to be published. However, it was published in two volumes only after the demise of *Shāh Ṣāḥib*, with additional notes from the pen of *Mawlānā* Shabbīr

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25. *Anwār al-Bārī*, op. cit, p. 260.

Aḥmad ʿUthmānī and also contained abstracts from *Bazl al-Majhūd* by *Mawlānā* Khalīl Aḥmad which was also a commentary on *Sunan Abī Dā'ūd*. It is important to point out here that this published work became obsolete and is not available in any library nor can any of its copies be found in the private collection of anyone.[26]

The writer of this dissertation met *Mawlānā* Anẓar Shāh, the son of *Shāh Ṣāḥib,* who was on a visit in Durban, South Africa, in December 1997 and informed him that he had in his possession notes of his father on the commentary of *Sunan Abi Dā'ūd* in the Urdu language and would one day publish them. However, to date this task has not been accomplished.

4.6 COMMENTARIES ON *SUNAN AL-TIRMIDHĪ*

Sunan al-Tirmidhī is also included in the category of *al-Ṣiḥāḥ al-Sittah* and was compiled by *Imām* Abū ʿIsā Muḥammad *Ibn* ʿIsā al-Tirmidhī (d. 279/892). This compilation contains the bulk of *Aḥādīth* on legal, dogmatic and historical materials and has been acclaimed by Muslim jurists as an important source of Islamic law.

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26. *Naqsh-i-Dawām*, op. cit., p. 207.

Sunan al-Tirmidhī was introduced in the curriculum of *Dār al-ʿUlūm Deoband* during the period when *Shāh Ṣāḥib* was one of its lecturing staff. *Shāh Ṣāḥib* researched this work thoroughly and during the course of lecturing on it, he expounded on the *Aḥādīth* which were incorporated in *Sunan al-Tirmidhī*. He also drew the attention of his students to many other commentaries on *Sunan al-Tirmidhī*. [27]

4.6.1 *AL-ʿARF AL-SHADHĪ* (*FRAGRANT AROMA*)

Al-ʿArf al-Shadhī is a commentary on *Sunan al-Tirmidhī*. It was compiled by *Mawlānā* Chirāgh *Ṣāḥib* from the dictations/discourse of *Shāh Ṣāḥib*. *Mawlānā* Chirāgh *Ṣāḥib* studied under *Shāh Ṣāḥib* at *Dār al-ʿUlūm Deoband*. After completing his studies in 1918, he took up a teaching post in Gujranwala, Punjab (present day Pakistan) and later established an institute of higher Islamic learning in Gujranwala. Details on the life of *Mawlānā* Chirāgh *Ṣāḥib* are not available.

Shāh Ṣāḥib did not have the opportunity to revise the manuscript which was later published in two volumes and titled as *al -ʿArf al-Shadhī*. In its introduction, *Mawlānā* Chirāgh *Ṣāḥib* mentions the

27. *Ḥāḍīṭḥ Literature , Its Origin and Development and Special Features*, op. cit., p. 304.

difficulty he had in the process of compiling this work. For example, it is stated that *Shāh Ṣāḥib* dictated his lectures in the Urdu language and he chose to compile these lectures in the Arabic language. He, therefore, admits that the work was not devoid of shortcomings and that he, and not *Shāh Ṣāḥib*, is responsible for any discrepancies in the work.[28]

It is unfortunate, however, that despite the fact that *Mawlānā* Chirāgh *Ṣāḥib* took full responsibility for any shortcomings in *al'Arf al-Shadhī*, *Mawlānā* 'Abd al-Raḥmān Mubarakpuri in his commentary on *Sunan al-Tirmidhī*, namely *Tuḥfat al-Aḥwadhī Sharḥ al-Tirmidhī*, highlighted the errors in *al'Arf al-Shadhī* and attributed them to *Shāh Ṣāḥib*.[29] The writer of this dissertation is of the view that such an accusation casts a slur on *Shāh Ṣāḥib*'s teaching capabilities, insinuating that he committed errors during the course of his lectures and misguided his students. It seems that *Mawlānā* 'Abd al-Raḥmān Mubarakpuri did not carefully read the introduction *al'Arf al-Shadhī* in which *Mawlānā* Chirāgh *Ṣāḥib* exonerated *Shāh Ṣāḥib* from any shortcomings in that work.

[28]. Chirāgh, Muḥammad. *Al- 'Arf al-Shadhī*. Hakim Sa'īd, n .d., p. 2.
[29]. Ibid, p. 2..

4.6.2 *MA'ĀRIF AL-SUNAN (RECOGNITION OF THE PRACTICES OF THE PROPHET* - S.A.W.S)

This work is also a commentary on *al-Jāmi' al-Tirmidhī* and was compiled by another student of *Shāh Ṣāḥib*, namely, *'Allamah* Sayyid Muḥammad Yūsuf Binūrī.

'Allamah Sayyid Muḥammad Yūsuf Binūrī was born in 1908 in a respectable family in Muhabatabad (present day Pakistan). He spent his early years in Kabul (Afghanistan) and Peshawar (in present day Pakistan) where he studied under some prominent *'ulamā'*. In 1925, he enrolled at *Dār al-'Ulūm Deoband* in order to further his studies in *Ḥadīth* under *Shāh Ṣāḥib*. In 1927 when *Shāh Ṣāḥib* moved to Dhabel he also moved there in order to continue to benefit from the expertise of his teacher in the field of the Science of *Ḥadīth*. During the period he spent as a student of *Shāh Ṣāḥib* he recorded dictations of his teacher which were in the form of a commentary on *Sunan al-Tirmidhī*. But it was only after *Shāh Ṣāḥib*'s demise that he felt the need to have this commentary published under the title *Ma'ārif al-Sunan*.[30] This work is in six volumes and was published in 1963 by *al-Maktabah al-Binnūrī* in the Arabic language.

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[30]. Binūri, Muhammad Yusuf. *Ma'arif al-Sunnah*. Karachi. Maktab-i-Binūrī. 1993, p. 48

In its introduction, *ʿAllamah* Sayyid Muḥammad Yūsuf Binūrī mentions that one of the reasons which prompted him to publish *Maʿārif al-Sunan* was the fact that the errors in *Mawlānā* Chirāgh *Ṣāḥib*'s *alʿArf al-Shadhī* had wrongfully been attributed to *Shāh Ṣāḥib*. He, therefore, felt the need to rectify this in *Maʿārif al-Sunan* which was also compiled from *Shāh Ṣāḥib*'s dictations on *Sunan al-Tirmidhī*.[31]

The special features of *Maʿārif al-Sunan* are as follows:

1. Like in *Fayḍ al-Bārī*, an effort has been made to expound the legal rulings of the different jurists based on the *Aḥādīth*. For example, in regard to *Tayyamum* (purifying oneself with pure dust or sand), *Imāms* Aḥmad, Isḥāq and Awzāʿī hold the view that one should only strike the dust or sand with the palms of the hand once and rub them over the face and hands. *Imāms* Abū Ḥanīfah, Mālik, al-Thawrī and al -Shāfiʿī on the other hand held that one should strike one's palms twice on the dust or sand. After the first strike the palms should be rubbed over

[31]. *Maʿarif al-Sunnah,* op. cit., p. 47.

the hands and after the second strike the palms should be rubbed over the face.[32]

2. The *ruwāt* (reporters) of the *Aḥādīth* are identified so that the readers may have an idea as to who they actually were. *Shāh Ṣāḥib* went a step further and mentioned the opinions of the scholars of the Science of *Ḥadīth* on the veracity of such reporters. For example, it is pointed out that Imam Mālik Ibn Anas was of the view that the reporter by the name of Muḥammad Ibn Isḥāq was not reliable, while according to Shu'bah and Muḥammad Ibn al-Mubārak he was regarded to be reliable.[33]

3. All the sources that *Shāh Ṣāḥib* cited during his discourses have been included in this work.

4. Wherever a specific issue is discussed like the question of the audible or inaudible recitation of *Sūrat al-Fātiḥah* (the Opening Chapter of the *Holy Qur'ān*) while one is following the *Imām* in

[32]. *Ma'ārif al-Sunnah*, op. cit., p. 476.
[33]. Ibid, p. 96.

the congregational obligatory prayers, *Shāh Ṣāḥib*'s published work on the subject has been summarized and included in it.

5. *Shāh Ṣāḥib* came up with a unique classification of *Ṣaḥīḥ* (authentic) *Aḥādīth*. He classified them under four categories:

i. If the reporters are just, of good memory and pious then the *Aḥādīth* reported by them would be the most authentic.

ii. This was be followed by those *Aḥādīth* on which there is agreement among the scholars of *Ḥadīth* that they are authentic.

iii. Then would come those *Aḥādīth* which are held by some scholars, namely, *Ibn* Khuzaymah, *Ibn* Hibbān and *Ibn* ʿAwānah, to be authentic.

iv. Finally, all those *Aḥādīth* which have not been criticized, reported by trustworthy reporters and accepted by the classical scholars of *Ḥadīth* to be authentic.

4.6.2.1 Shortcomings in *Maʿārif al-Sunan*

1. It is written in the Arabic language and hence the bulk of lay Muslims are in no position to benefit from it. Moreover, even

Muslim scholars find this work to be cumbersome to comprehend since at many places Arabic poetry have been included.

2. At many places, the work does not cite the exact references that one ought to consult. For example, the reader is told to refer to *Baḥr al-Rā'iq* or *Radd al-Muḥtār* without citing the volume and page that the reader should consult in these two works.

3. A bias is shown towards the Ḥanafī School of Islamic Jurisprudence. This can clearly be deduced from the fact that after the opinions of the other Schools of Islamic Jurisprudence are cited on a particular legal issue, the *Aḥādīth* which support the Ḥanafī view are then brought forth in the discussion in order to strengthen the Ḥanafī position.

4.7 *SHĀH ṢĀḤIB*'S CONTRIBUTION IN OTHER *ḤADĪTH* WORKS

When one peruses through the works on *Ḥadīth*, especially those which deal with legal matters, one is bound to find out that there is a dearth of such works that propound the Ḥanafī stance. For example, *Imām* Mālik *Ibn* Anas's *al-Muwaṭṭā'* is an exposition of the Mālikī

School of Jurisprudence while *Imām* Aḥmad *Ibn* Ḥanbal's *Musnad* is an exposition of the Ḥanbalī School of Jurisprudence. These works were and continue to be taught in all *Dār al-ʿUlūms* in the Indo-Pak Subcontinent.[34] Thus *Mawlānā* Zākir al-Ḥasan Shawq Nimwī, a research scholar in Bihar, India, felt the need to compile a work on the legal stance of the Ḥanafī School based on the *Aḥādīth.* The manuscript was then handed over to *Mawlānā* Maḥmūd al-Ḥasan to reivise it, but he in turn requested his student, namely *Shāh Ṣāḥib,* to revise the manuscript of *Mawlānā* Zākir al-Ḥasan Shawq Nimwī. *Shāh Ṣāḥib* obliged and he suggested certain alterations and additions. The manuscript was then published in two volumes under the title *Athar al-Sunan* with an introduction by *Shāh Ṣāḥib.*[35]

After the work was published, *Shāh Ṣāḥib* penned a commentary on this work. He handed over the manuscript to *Mawlānā* Muḥammad Mia of the Waterval Islamic Institute in South Africa for it to be published. This has not as yet been accomplished. However, *Mawlānā* Muḥammad Mia made several copies of *Shāh Ṣāḥib*'s handwritten

[34]. *Naqsh-i-Dawām*, op. cit., p. 308.
[35]. Ibid, p. 309.

manuscript while he was in London and distributed them to the various scholars and libraries in India. [36]

[36]. *Naqsh-i-Dawām*, op. cit., p. 310.

Chapter Five

SHĀH ṢĀḤIB'S UNIQUE STANCE ON CERTAIN ISSUES

Shāh Ṣāḥib spent his entire life in teaching and in the service of the *dīn* (religion) of Islam. His scholarship brought about far reaching impact on Islamic scholarship and left an indelible mark upon students and scholars alike.

As a scholar, *Shāh Ṣāḥib* was well versed in practically all the related Islamic sciences. On several matters, he held his own personal views based on academic arguments. In this chapter, an attempt is made to extrapolate his singular views on certain issues which are still relevant to our contemporary time. I have selected a few examples to demonstrate the uniqueness of his academic and intellectual endeavour.

5.1 *TAFSĪR AL-QUR'ĀN*

Muslims believe that Allāh (SWT) is the Creator and chose to guide mankind from time to time by sending down Prophets (a.s.) in every age and era and revealed to them Ḥis guidance and commandments.

The act of sending down the Divine Message came to its finality when the *Holy Qur'ān* was revealed to the Prophet Muḥammad (s.a.w.s.).

It must be conceded that no other book in the world, besides the *Holy Qur'ān*, enjoys so much reverence and attention. Thousands of Muslims throughout the centuries have and continue to memorize it. The *Holy Qur'ān* is not only recognized as the first primary source of Islam, but it formed the basis from which several Islamic sciences evolved. Some of these sciences are rhetorics and grammar, jurisprudence, exegesis, Islamic historiography, etc.

From the time that the *Holy Qur'ān* was revealed, the first generation of Muslims sought explanations of the Qur'anic verses from the Prophet Muḥammad (sa.w.s.) so that they could implement and practice upon what was being revealed. The explanations of the Prophet (s.a.w.s.) were preserved and disseminated and his explanations of the revelations led to the founding of the science of *tafsīr* (exegesis).

Over the years, *tafsīr al- Qur'ān* became a specialized science and volumes have been written and continue to be written with the aim of

elucidating the Divine Message from various academic and points of view. *Shāh Ṣāḥib* too, besides teaching *tafsīr al- Qur'ān* at *Dār al-ʿUlūm Deoband*, wrote down an exegesis of the *Holy Qur'ān* with the particular aim of explaining some of the verses which were generally regarded to be difficult to understand and thus appropriately entitled his exegesis *Mushkilāt al-Qur'ān* (Difficulties in the *Qur'ān*).

5.1.1 *Ahl al-Kitāb* (The People of the Book)

The *Holy Qur'ān* states:

> *This day are all things good and pure made lawful unto you. The food of the People of the Book is lawful unto you and yours is lawful unto them. (Lawful unto you in marriage) are (not only) chaste women who are believers, but chaste women among the People of the Book....*
>
> (*Al-Mā'idah*, 5:5)

From the above, it is generally accepted that the Jews and the Christians are the People of the Book. *Shāh Ṣāḥib* explains that all

people who joined the religions of the Jews and Christians prior to the time when the revelation came down to the Prophet (s.a.w.s.) would all be considered to belong to the People of the Book. *Shāh Ṣāḥib* goes on further and states that he subscribes to the view of *Sayyidunā* ʿAlī (r.a.) and *Sayyidunā* ʿAbd Allāh Ibn Masʿūd (r.a.) who were of the opinion that those who accepted the religions of the Jews and Christians after the revelation came down to the Prophet (s.a.w.s.) like the Arabs in Makkah or Madīnah or anyone, even in this day and age, who accepts the religions of either the Jews or Christians would not be regarded as the People of the Book which the *Holy Qur'ān* alludes to in the above verse. Hence, it would not be permissible for Muslims to consume their food, but the food of Muslims would be permissible for them.[1]

5.1.2 *Al-Nāsikh wal al-Mansūkh* (Abrogation of Qur'anic Verses

The Divine Relevation that came in the form of the *Holy Qur'ān* covers a variety of subjects. It spells out what constitutes *al-Īmān* (Fundamental Islamic Beliefs), gives an account of the various Prophets (a.s.), describes eschatology, and propounds specific legal

[1]. *Mushkilāt al-Qur'ān*, op. cit., p. 210.

injunctions, etc. These injunctions are termed as *aḥkām* (sing. *ḥukm*). While the Islamic religious creed has remained unchanged, some of the legal injunctions were revealed in stages. This was to facilitate first addressees of the *Holy Qur'ān*, namely the reverts to Islam from among the people who resided in Makkah and Madīnah during the time of the Prophet Muḥammad (s.a.w.s.), to implement these stipulations gradually. This led to the question as to whether some of the earlier legal rulings had in fact been abrogated by those that were revealed later. Or whether there is in fact any contradiction between the earlier and later revelation and if there appears to be a contradiction, any reconciliation can take place between the earlier and later revelations. These inter related questions and discussions led to the development of a whole Qur'anic Science of Abrogation (*Al-Nāsikh wa al-Mansūkh*) as one of the major Qur'anic Sciences.

Difference of opinions exist among scholars as to whether some verses of the *Holy Qur'ān* had in fact been abrogated and hence if that was the case then their rulings would no longer be applicable. A well known scholar of the *Holy Qur'ān,* namely, *'Allāmah* Jalāl al-Dīn al-Suyūṭī (d. 1502) mentions in his *al-Itqān* that there are in all twenty-

one abrogated verses in the *Holy Qur'an*[2], while *Shāh* Walī Allāh of Dehli restricts the number to five only.[3]

Shāh Ṣāḥib, on the other hand, differs from both points of view and maintains that none of the verses of the *Holy Qur'ān* had in fact been abrogated. He explains that a legal stipulation of the *Holy Qur'ān* may have been applicable at a particular period in time, but subsequently another express stipulation was revealed, not to cancel the previous injunction, but to exhort the believers to implement the new injunction henceforth. Thus, it would be wrong to deem that the previous injunction had been abrogated by the latter injunction for that would imply that the previous injunction ought to be removed from the text of the *Holy Qur'ān* altogether. For example, the prohibition of the intake of *khamr* (intoxicants) was not effected all at once. The stipulations in this regard are as follows:

> *They ask you concerning intoxicants and gambling. Say: "in them is a a great sin, and some profit for humankind; but the sin is greater than the profit."* (*Al-Baqarah*, 2: 219)

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2. Al-Ṣūyūṭī, Jalāl al-Dīn. *Al-Itqān fī 'Ulūm al-Qur'ān*. Beirut. Maktab al-Thaqafīyah. 1973, p. 20.
3. Dehlawi, Shāh Walī Allāh. *Al-Fawz al-Kabīr fī Uṣūl al-Tafsīr*. Karachi. Nūr Muḥammad Tijārat Khana, n.d., p.p. 37-43.

Oh you who believe! Approach not prayers with a mind befogged, until you can understand all that you say.

(*Al-Nisā'*, 4:43)

Oh you who believe! Intoxicants and gambling, (dedication of) stones, and (divination by) arrows, are an abomination of Satan's handiwork: Eschew such (abomination) that you may prosper.

(*Al-Ma'idah*, 5:93)

Inferring from the standpoint of *Shāh Ṣāḥib* on the issue of *nāsikh* and *mansūkh*, one can safely say that the first two verses quoted above were not in reality abrogated by the third one. However, there is no doubt that the third injunction banned Muslims from the intake of intoxicants. The first two verses continue to be relevant to this day.

5.2. *'Ilm al-Ḥadīth* (The Science of *Ḥadīth*)

Ḥadīth is recognized as the second primary source of Islam. It constitutes the sayings, practices and tacit approval or disapproval of the Prophet (s.a.w.s.). *Ḥadīth* literature is the richest source for the

early Islamic history too. It provides us an insight into the legal, cultural and religious norms that prevailed during the era of the first generation of Muslims.

The *Muḥaddithūn* (scholars of *Ḥadīth*) laid great emphasis upon *tawātur al-isnād* (continuity of the chain of authorities) reporting the *Ḥadīth*. This signifies that the continuity of the chain must be preserved, which implies the completeness of the chain of transmitters all the way back to the final authority i.e. the Prophet (s.a.w.s.). *Tawātur al-isnād* signifies that the Ḥādīth would be categorized as *ṣaḥīḥ* (authentic). *Shāh Ṣāḥib* too stressed the importance of *tawātur al-isnād* in determining the degree of the veracity of the *Aḥādīth*. Credit goes to him for formulating three more categories of *tawāṭur* (continuity) which may not necessarily be dependent on *ṭawātur al-isnād* for ascertaining the validity of certain religious matter. They are as follows:[4]

1. *Tawātur al-Ṭabaqah* (continuity based upon the transmission of a generation) implies that any important matter pertaining to *Dīn* (religion) of Islam which had been handed down from

[4]. *Naqsh-i-Dawām*, op. cit., p. 388.

the time of the Prophet (s.a.w.s.) and there after from generation to generation is sufficient ground for accepting its validity. For example, by virtue of the fact that Muslims have memorized the entire *Holy Qur'ān* from generation to generation and thus accept all the verses to be the verbatim word of *Allāh* (SWT), there is thus no need to find an *isnād* for each verse in order to ascertain its authenticity. It is an established fact from *ṭawātur al-ṭabaqah* that the entire *Holy Qur'ān* is the exact Divine Message that was revealed to the Prophet (s.a.w.s.), hence its authencity.

2. *Ṭawātur al-ʿAmal wa al-Tawāruth* (continuity of action and legacy) signifies that any ruling of the *Sharīʿah* which has been handed down to us from the *Ṣaḥābah* (r.a.) (Companions of the Prophet –s.a.w.s.) is sufficient to be accepted as authentic. For example, the lifting of the hands being restricted to *al-takbīr al-ūlā* while in *ṣalāh*. This was upheld and has been practiced for a long period of time from the era of the Prophet (s.a.w.s.). Hence, it would be a futile

exercise to refute this practice and try to find the *isnād* before upholding this practice.

3. *Ṭawatur al-Qadr al-Mushtarak* (continuity of common element in the transmission). For example, a *khabr wāḥid* (a *Ḥadīth* reported by a single narrator), about the *muʿjizat* (miracles) performed by the Prophet (s.a.w.s.), came to be supported by other *khabr wāḥid*. These reports would then constitute what *Shāh Ṣāḥib* termed as *ṭawatur al-Qadr al-Mushtarak* (continuity of common element in the transmission) and would thus be regarded in his view as authentic and have not been negated, nor refuted as spurious.[5]

5.3 LEGAL (*FIQHĪ*) MATTERS

Shāh Ṣāḥib who was well grounded in Islamic Jurisprudence, was a staunch follower of the *Ḥanafī* School, but he disliked the idea of giving preference to one school over another. Hence, he was of the view that all the four *Sunnī* Schools of Islamic Jurisprudence are valid and Muslims who follow any of these schools are on the right course.

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[5]. *Naqsh-I-Dawām*, op. cit., p. 389.

The difference of opinions that exist among these schools are, according to *Shāh Ṣāḥib,* primarily linked to the details (*al-furū*ʿ) and not to the fundamentals. Thus, he cautioned the Muslims not to stir friction and disunity amongst their rank and file on the basis of their allegiance to a particular school.

Shāh Ṣāḥib's legal opinions on various matters did not always conform to the opinions of his peers, but interestingly, his peers did not oppose his view and admired his insight and did not challenge him.

5.3.1 India as *Dār al-Ḥarb* (Abode of War) or *Dār al-Amn* (Abode of Peace)?

India, during the period in which *Shāh Ṣāḥib* lived, was wrought with political instability and a state of insecurity prevailed. This could be attributed to the war of independence and the independence movement against the British occupation of India.

In the midst of all these developments, *Shāh Ṣāḥib* was also approached to shed light on this pertinent issue that was hotly being debated among the Muslims scholars, namely, whether India was *Dār*

al-Ḥarb or *Dār al-Amn*. The debate revolved on whether India was to be regarded as a country in which Muslims did not enjoy any form of religious freedom. Were the Indian Muslims justified to regard India as an abode of war? Or was India a country in which Muslims were given security and protection, with freedom of religion in matters pertaining to the *ʿibādāt* (religious rituals) and *al-Aḥwāl al-Sakhṣiyyah* (Personal Statute) hence, an abode of peace? Muslim scholars were divided on that issue and this resulted in some of them supporting the creation of a federal system of government, with Muslims ruling the areas in which they were in majority in post-independent India. Prominent among the Muslim scholars who held this view was *Mawlānā* Shabbīr Aḥmad ʿUthmānī. Among those who opposed that view was *Mawlānā* Ḥusayn Aḥmad Madanī.[6]

Shāh Ṣāḥib was of the view that India was a *Dār al-Ḥarb* i.e. a country ruled and controlled by non-Muslims. Its laws and political structures were not based on the *Sharīʿah* and Muslims could not practise the tenets of Islam in its entirety. The *Sharīʿah* legal system that was in vogue during the centuries of Moghul rule was replaced in 1862 by the

[6]. *Tarīkh Dār al-ʿUlūm Deoband*, op. cit., vol. 2, p. 83.

Indian Penal Code.[7] Thus, Muslims were not allowed to implement the *Sharī'ah* stipulations pertaining to inheritance, marriage and divorce, etc.

5.3.2 The taking and giving of interest (*ribā* transaction)

According to the *Sharī'ah*, it is totally forbidden for Muslims to indulge in the taking and giving of interest. The *Holy Qur'ān* states:

> *Oh you who believe! Do not devour one another's possessions wrongfully (through riba and other forms of fraudulent transactions). Rather let there be amongst you trade based on mutual goodwill.* (*Al-Nisā'*, 4:29)

In the *Ḥadīth*, it is is repby *Sayyidunā* Jābir (r.a.) that:

> The Messenger of *Allah* (s.a.w.s.) cursed the one who takes (i.e. consumes) *ribā*, the one who gives (i.e. pays)

[7]. Doi, Abdur Rahman I. *Shariah The Islamic Law*. England. Delux Press. 1984, p. 451.

ribā, the one who records the transaction, and the two witnesses thereof. He said: They are all equally guilty.[8]

There is also reference made to the abolition of interest in the Farewell Sermon (*al-Khuṭbat al-Wadāʿah*) of the Prophet (s.a.w.s.).

However, there always remained difference of opinions amongst Muslim jurists as to whether it was permissible for Muslims who reside in *Dār al-Ḥarb* and indulge in interest transactions with non-Muslims. The Ḥanbalī, Shāfiʿī and Mālikī Schools forbid Muslims to give and take interest even if they reside in a non-Islamic state. It is also the unanimous view of the Ḥanafī School that it is also forbidden.[9] But, despite the fact that *Shāh Ṣāḥib* belonged to the Hanafi School, he held the view that it was permissible for Muslims to give and take interest when they were involved in any form of transaction with non-Muslims.[10] *Shāh Ṣāḥib* based his view on a *Ḥadīth* reported by *Sayyidunā* Makhūl (r.a.) that the Messenger of *Allāh* (s.a.w.s.) said:

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[8]. Al-Tabrizī, Walī al-Dīn ʿAbd Allāh. *Mishkāt al-Maṣābiḥ*. Karachi. Aṣaḥ al-Maṭābiʿ, n.d.. Bāb al-Ribā. p. 244.

[9]. *Malfuẓāt Muḥaddith-i-Kashmīrī*, op. cit., p. 170.

[10]. Ibid, p. 156.

There is interest between a *ḥarbī* (i.e. a non-Muslim who is hostile to Muslims) and a Muslim.[11]

Today, many Muslim jurists allow interest transactions in a country ruled by non-Muslims.

5.3.3 *Tark Al-Muwālah* (Abandoning Cooperation with British Colonial Power)

At a meeting held in Bombay on 28th December 1885, which was presided over by Mr. W.C. Bannerjee, the Indian National Congress was established as a political party. It constituted of 73 representatives, out of whom 54 were Hindus and only 2 were Muslims with the remainder being Parsis and Jains.[12] It thus had representatives from all the religious denominations, even though in essence it was predominantly controlled and headed by Hindus under the leadership of Mahatma Ghandi (1947).[13]

The Muslim League was founded in 1906 at a meeting that was held in Dacca (the current capital of Bangladesh). 26 young Muslim educated

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11. *Ibn* Humām, Kamāl al-Dīn Muḥammad *Ibn* ʿAbd al-Wāḥid. *Sharḥ Fatḥ al-Qadīr*. Egypt. Sharikat Matktabah wa Matba[ah, n.d., Vol. 7, p. 38.

12. *The New Encyclopaedia Britannica*. Chicago. Hemingway Benton. 1973. Vol. 9, p. 412.

13. Ibid, p. 413.

elite attended that meeting which was chaired by the Sulṭān Sir Muḥammad Shah (Agha Khan III) (d. 1957) – the grandfather of the present Prince Karīm Agha Khan. The Muslim League was co-incidental an exclusively Muslim political party.[14]

The primary aim of both these parties were to oust the British from India, but had different political agendas. The Indian National Congress wanted India to secure independence from Great Britain and its affairs to be entrusted to Indians, irrespective of their religious affiliations. The Muslim League, on the other hand, later called for the creation of a separate Muslim state that would comprise all such provinces in India which had a majority of Muslims residing in them.

During the early 1900s, the Muslim masses in India sought guidance from the Muslim scholars to enlighten them as to whether it was permissible for them to befriend and co-operate with the Hindus and Sikhs and others who were against the British occupation of India and were striving for India to secure the independence of India.

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[14]. *The New Encyclopaedia Britannica*, op. cit., p. 414.

Shāh Ṣāḥib was the very first *ʿālim* to express his view on what is termed as *tark al-muwālah*.[15] He advised Muslims to break off all ties with the British and not to be employed by them. However, he stressed that it was important that they work with the Hindus to secure the independence of India. *Shāh Ṣāḥib* also maintained that it would be perfectly in order for Muslims to participate in the political structures post independence as long as they could have the assurance from the Hindus that their lives, property and religion would be respected and protected.[16]

From the above, one may deduce that *Shāh Ṣāḥib* made no distinction between *tark al-muwālah* and *al-muʿāmalah* (social intercourse/mutual transaction and business relations). It seems that he was of the view that both concerned the co-existence between Muslims and non-Muslims. This line of thinking led to some of the Indian *ʿulamā'* affiliating to the Indian National Congress, while others begged to differ and joined the Muslim League.

[15]. *Malfuzat Muḥaddith-i-Kashmīrī*, op. cit., p. 297.
[16]. Ibid, p. 166.

5.4 MATTERS PERTAINING TO MUSLIM WOMEN

Islam recognizes the fact that the rights and responsibilities of women are equal to those of men, but not necessarily identical with them. Humankind is not created identical but they are created equals. Insofar as the rights and obligations of women are concerned, despite the fact that Islamic law has the capacity to adapt itself and to develop according to circumstances, the so called liberty and freedom which non-Muslim women enjoy is totally alien to the teachings of Islam. In reality Muslim males and females do not enjoy absolute liberty or freedom because they are bound by the dictates of the *Sharīʿah*. However, it may be apt to mention here that foreign cultural pressure played a decisive role in influencing Muslims to suppress their women, even to the extent of denying them their right to be educated. During the lifetime of the Prophet (s.a.w.s.), and even in contemporary time, certain rules pertaining to women were discussed. *Shāh Ṣāḥib* also addressed some issues which are discussed hereunder:

5.4.1 Veiling the Face of a Woman

Muslim scholars have from time to time iscussed in their writing the

question of veiling of the face of a Muslim woman. The issue whether the face of a woman forms part of the *ʿawrah* (to be kept covered). Some scholars hold that the face does not constitute a part of the *ʿawrah* and base their stance on the fact that a Muslim woman is not obliged to cover her face when engaged in *Ṣalāh*, nor when performing the rites of *Ḥajj* (the Pilgrimage). They base their stance on the *Ḥadīth* in which the Prophet (s.a.w.s.) addressed *Sayyidatunā* Asmā' (r.a.) saying:

> When a girl reaches the age of puberty, nothing should be seen of her except this and this, pointing to the face and hands.[17]

Some others contend that although the face of a Muslim woman is not included as *ʿawrah*, it would be prudent on her part to cover her face in order to protect herself from the gazes of strange men.

There are yet other scholars like *Muftī* ʿAbd al-Raḥīm Lajpuri (d. 2001) who are of the view that the face and hands of a Muslim woman must be covered in public. Thus, subscribing to the view that it is

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[17]. *Sunan Abī Dā'ūd*, op. cit. Vol. 2, p. 172.

mandatory for Muslim women to observe the *purdah* (*ḥijāb*) at all times when they come out in public.[18] They base their stance on the following verse of the *Holy Qur'ān*:

> *And when they ask (his wives i.e. the wives of the Prophet), ask them from behind a curtain: that makes greater purity for your hearts and for theirs.* (*Al-Ḥujurāt*, 33:53)

They also strengthen their position on the basis of the following *Ḥadīth*:

> A woman who lost her son in a battle, covered herself fully, and came to the Messenger of *Allāh* (s.a.w.s.) to inquire about her son. Those who were present asked her as to why she did not unveil herself at that time of distress. She replied, "I have lost my son and not my honour."[19]

Majority of the *ʿulamā'* of the Indo-Pak Subcontinent subscribe to this view and deem it necessary for a Muslim woman to cover her face.

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[18]. Lajpuri, Abdur Rahim. *Fatāwā Raḥimiyyah*. Rander. Maktab-I-Raḥimyyah. Vol. 1, p. 25.
[19]. Ibid, p. 26.

Shāh Ṣāḥib too expressed his view on this matter and he departed from the position of the leading *ulamā'* of the Indo-Pak Subcontinent. He held that it was permissible for a Muslim woman not to cover her face in front of strangers as long as she was confident that she was safe from any form of abuse. Likewise, it was perfectly in order for her to look at a male stranger when it was necessary for her to do so.[20] The writer of this dissertation feels that it was not an omission on the part of *Shāh Ṣāḥib* not to back his view by an argument. *Shāh Ṣāḥib* was fully aware of all relevant issues and arguments in this regard which were discussed by early and contemporary jurists. He was also aware of all the Qur'anic verses and *Ḥadīth* pertaining to this issue. He merely expressed his view which was respected by his contemporaries by the weight of his knowledge and piety. What is important is that even though he did not advance argument for his view on the covering of the face, he expressed a clear view that the covering of the face was not obligatory, but it was an option for a woman which she may exercise as she wishes.

[20]. *Malfuẓāt Muḥaddith-i-Kashmīrī*, op. cit., p. 263.

5.4.2 Dissolution of the Marriage of A Woman Whose Husband is Lost

There is no denying that fact that *Shāh Ṣāḥib* was an ardent follower and *muqallid* of the Ḥanafī School of Islamic Jurisprudence. He advocated that rulings from any of the four *Sunnī* Schools of Islamic Jurisprudence could be sought whenever there arises a need to do so. *Imām* Abū Ḥanīfah maintains that the marriage of a woman whose husband's whereabouts are unknown cannot be annulled until he has attained 120 years from the day of his birth. *Imām* Abū Yūsuf, the disciple of *Imām* Abū Ḥanīfah, holds the view that the marriage of the woman whose husband has been lost could only be annulled after her husband's age would have reached 100 years.[21] *Shāh Ṣāḥib*, taking into consideration of the difficulty for a woman to wait indefinitely for the return of her husband who has mysteriously disappeared, suggested that it was within her rights to request that her marriage be annulled after the lapse of four years since the disappearance of her husband. This is based on the Mālikī School's ruling.[22]

[21]. Al-Yamanī, Abū Bakr *Ibn* 'Ali *Ibn* Muḥammad. *Al-Jawharat al-Nayyarah 'alā Mukhtaṣar al-Qudūrī*. Multan, Pakistan. Makatabat Imdādiyyah, n.d., vol. 2, p. 51.
[22]. *Malfuẓāt Muḥaddith-i-Kashmīrī*, op. cit., p. 225.

5.4.3 The Validity of the Marriage of a Girl without the Permission of Her Parents or Guardian

Allāh (SWT) created men and women and enjoined upon them to marry so that they may find peace, comfort and happiness in each other and also to procreate. The *Sharīʿah* prescribes severe punishments for the sexual relations outside marriage. The family is considered to be the nucleus of society and illegitimate sexual relations destroys the foundation of society. That is why we find that the Prophet (s.a.w.s.) urged the young Muslims to marry saying:

> Oh assembly of youth! If any of you can afford to marry should do so for it assists one to lower his gaze and safeguards one's chastity.[23]

Marriage is thus considered to be a solemn covenant or contractual agreement between the husband and wife. Imams Mālik, Aḥmad Ibn Ḥanbal and al-Shāfiʿī were of the view that a (virgin) girl could not enter into a contract of marriage without the permission of her parents or guardian. If she did so then her *nikāḥ* (marriage) would

[23]. *Mishkāt al-Maṣābiḥ*, op. cit.. Kitāb al-Nikāḥ, p. 267.

be regarded as null and void.[24] They base their stance on the *Ḥadīth* reported by *Sayyidatunā* ʿĀ'ishah (r.a.) that :

> The Messenger of *Allāh* (s.a.w.s.) said, "If any woman marries without the permission of her guardian, the *nikāh* is *bāṭil* (null and void).[25]

Imām Abū Ḥanīfah, on the other hand, was of the view that a girl may marry without the permission of her guardian. Hence, if there is dissension between her and her guardian on that issue, then her view would be given preference over that of her guardian. The Ḥanafī stance is based on the *Ḥadīth* in which the Prophet (s.a.w.s.) placed the right of choice of husband in the hands of the woman.[26]

Shāh Ṣāḥib had his own unique view on the issue in question. After studying the relevant *Ahādīth,* he concluded that both the guardian and the girl must be unanimous on the issue of marriage. He was of the view that since her parents/guardian were aware of her likes and dislikes they would be in a position to chose an appropriate match for

[24]. *Shariah The Islamic Law*, op. cit., p. 140.
[25]. *Mishkāt al-Maṣābiḥ*, op. cit.. Kitāb al-Nikāḥ, p. 267.
[26]. *Shariah The Islamic Law*, op. cit., p. 141.

her. But, the girl should also have the say in the matter of her impending marriage. She has the right to choose her own marriage partner, but she should disclose her choice to her guardian in order to seek his approval for her choice. *Shāh Ṣāḥib* does not deny the fact that she may be in a position to find her own husband, but feels that she requires guidance while making this great decision in life. Hence, *Shāh Ṣāḥib*'s position on the issue in question is that the girl and her guardian should be in agreement about the person who would be marrying her daughter. In the same way the girl ought to give her consent to the choice of a partner whom her guardian has chosen for her.[27]

From the above discussion, it is apparent that *Shāh Ṣāḥib* is trying to reconcile between the two opposing views. He does not negate the guardian's authority, but affirms it. Insofar as the girl's consent is concerned that is not in dispute at all. *Shāh Ṣāḥib* is in effect binding the girl's consent with that of the guardian which makes it even more difficult. Contemporary legal ruling is that a girl may contract her marriage on her own and does not have to seek the approval of her

[27]. *Naqsh-i-Dawām*, op. cit., p. 403.

guardian. However, in the view of the writer of this dissertation it seems that it was *Shāh Ṣāḥib*'s advice and not a legal ruling. He was fully aware of the fact that the girl's consent was entrenched any way. The dispute was in regard to the guardian's authority.

5.4.4 A Woman Travelling for *Ḥajj* without a *Maḥram* (A Male Relative with whom Marriage is not Allowed)

The *Ḥajj* (Pilgrimage to Makkah) is the fifth pillar of Islam. It is an obligation that all Muslims, males and females, who possess financially capacity, to fulfil this obligation at least once in their lifetime. The *Holy Qur'ān* states the following in this regard:

> *Pilgrimage thereto is a duty men owe to Allah, - those who can afford the journey, but if any deny faith, Allah stands not in need of any of His creatures.*
>
> (*Āl-ʿImrān*, 3:97)

The question which arises is if a Muslim woman has the means to undertake the pilgrimage, can she travel on her own without being accompanied by a *maḥram* (a male-relative who cannot legally marry her)? The majority Ḥanafī view is that she may not undertake the

journey and that the availability of a *maḥram* to accompany her is one of the prerequisites to her undertaking the journey for the Pilgrimage. Hence, if no *maḥram* is available, then she is exempted from performing the Pilgrimage. There are other scholars who hold that a woman who has the means to perform the Pilgrimage may do so accompanied by other pious women as long as there is no fear that any harm will befall her.

Shāh Ṣāḥib's view on the issue in question does not conform to the majority Ḥanafī position. He points out that he does not agree with *Imām* al-Ṭaḥāwī who was of the view that a woman may not undertake any journey, including the journey to perform the Pilgrimage, if she cannot find a *maḥram* to accompany her.[28] *Imām* al-Ṭaḥāwī was of the view that a Muslim woman may not undertake any journey without being accompanied by a *maḥram* for her own security. However, this restriction could not be applied for the fulfilment of the obligation of Pilgrimage. Thus, in *Shāh Ṣāḥib*'s view, it would not be correct to prevent the woman to undertake the journey to perform the Pilgrimage simply on the non-availability of a *maḥram* to accompany her. He

[28]. *Malfuẓāt Muḥaddith-i-Kashmīrī*, op. cit., p. 225.

suggested that a distinction ought to be made between undertaking an ordinary journey and one for the fulfilment of an obligation (i.e. the Pilgrimage). In order to lend support to his stance, *Shāh Ṣāḥib* points out that *Imām* al-Tirmidhī included the *Ḥadīth* preventing the woman from undertaking a journey on her own (i.e. without a *maḥram*) in his *Sunan* only in the chapter *Kitāb al-Riḍā* (The Book of Consent) and not in the chapter which deals with *Ḥajj*. This is sufficient proof that for the purpose of Pilgrimage, she may travel without being accompanied by a *maḥram*. *Shāh Ṣāḥib* further points out that he was aware that *Imām* al-Bukhārī, in his *al-Jāmi al-Ṣaḥīḥ*, has included the *Ḥadīth* that prevents a woman from travelling without a *maḥram* in the chapter that deals with *Ḥajj*. But that particular *Ḥadīth* is quoted in the context of undertaking the journey for the performance of a *nafil Ḥajj* (supererogatory Pilgrimage) and not for the *farḍ Ḥajj* (the obligatory Pilgrimage). Thus, according to *Shāh Ṣāḥib*, a Muslim woman may undertake the journey to perform *Ḥajj* without a *maḥram*, but this issue remains unresolved to this day.

5.4.5 Muslim Women Performing *Ṣalāh* in the *Masjid*

The vast majority of the Indo-Pak *ʿulamā'* are of the view that Muslim women cannot attend the *masjid* to perform their *ṣalāh*. They base their stance on the following *Hadīth* in which the Prophet (s.a.w.s.) stated that it would be better if the women offered their *ṣalāh* in their homes.[29] But, we cannot lose sight of the fact that the Propet (s.a.w.s.) never prevented the women from attending the *masjid* for the purpose of performing the *ṣalāh*.

Shāh Ṣāḥib did not go along with the majority view of the Indo-Pak *ʿulamā'*. He emphasized the fact that the Prophet (s.a.w.s.) allowed the Muslim women to attend the congregational *ṣalāh* in the *masjid*. He also states that there are categorical pronouncements of the Prophet (s.a.w.s.) that none should prevent Muslim women from attending the *masjid*.[30] The Prophet (s.a.w.s.) went further and even admonished the husband not to prevent his wife from attending the *masjid*.[31]

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29. *Mishkāt al-Maṣābiḥ*, op. cit.. Kitāb al-Ṣalāh, p. 97.
30. Al-Bukhārī, Muḥammad Ismāʿil. *Al-Jāmiʿ al-Ṣaḥīḥ. Kitāb al-Ṣalāh*. Karachi. Aṣaḥ al-Matābiʿ. Vol. 1, p. 119.
31. *Mishkāt al-Maṣābiḥ*, op. cit.. Kitāb al-Ṣalāh, p. 97.

Shāh Ṣāḥib further points out that although it is mentioned in the *Ḥadīth* that Muslim women who pray at home would receive equal reward as Muslim men who attend the congregational prayer in the masjid, this is no ground for preventing them from attending the *masjid*. Thus, *Shāh Ṣāḥib* was of the opinion that Muslim women could not be forced to offer their *ṣalāh* at home. At most, she can only be encouraged to do so. In the books of Islamic Jurisprudence, there are specific stipulations where the women must stand while performing the congregational prayers in the Mosque. Hence, to attend the congregational prayers in the Mosque is not an obligation for women, unlike men. It is an option which she can exercise.

5.5 THE GIVING OF *ZAKĀH* TO A *SAYYID* (A DECENDANT OF THE PROPHET OF ISLAM - (S.A.W.S.)

The giving of *Zakāh* is compulsory upon all Muslims who possess what is known as the *niṣāb* (a prescribed minimum cash or kind on which *Zakāh* is payable). The *Holy Qur'ān* stipulate of people who are entitled to receive *Zakāh*. It states:

Verily the Ṣadaqāt (Zakāt) should be given to the poor, the needy, those employed to collect it (and administer it), for those whose hearts have an inclination towards Islam, for those in bondage, those in debt, and for the wayfarers. This is what Allāh has made compulsory that the above beneficiaries should get). For Allāh is All-Wise, All-Knowing. (*Al-Tawbah, 9:60*).

In the above citation, no mention is made of the *Sayyid* as being one of the legitimate beneficiary of *Zakāh*. During the time of the Prophet (s.a.w.s.) the *Ahl al-Bayt* (i.e. the family of the Prophet - s.a.w.s.) received a stipend from the *Bayt al-Māl* (The Public Treasury). The Prophet (s.a.w.s.) and al-Khulafā' al-Rāshidūn (Pious Caliphs) did not set a precedent for the descendant of the Prophet (s.a.w.s.) to be a beneficiary of *Zakāh*. Muslim jurists unanimously hold that a *Sayyid* cannot receive *Zakāh* based on the above and the following *Ḥadīth*:

> The Prophet (s.a.w.s.) said: *Zakāh* is the filth of the people. It is not permissible for Muhammad and his family.[32]

[32]. *Mishkāt al-Maṣābīḥ*, op. cit. Bāb Man Lā Taḥillu Lahu Ṣadaqah, vol. 1, p. 161.

Shāh Ṣāḥib reflected upon the issue in question and came to the conclusion that the *Sayyid* may receive *Zakāh* in view of the fact the *Bayt al-Māl* does not exist and it is very difficult for the *Sayyid* who is poor to make ends meet. He does not elaborate on the issue, but puts forth the argument that it is better and more honourable for the *Sayyid* to receive the *Zakāh* than to go around begging.

5.6 THE LEARNING OF THE ENGLISH LANGUAGE AND SECULAR SCIENCES

The influence of the western world was first felt in the Muslim world when the Europeans colonized their countries in the early 19th Century. Thus, prior to the arrival of the Colonialists, all aspects of Muslim life were governed by the *Sharīʿah*. The Colonialists subsequently imposed their own man-made laws upon the Muslims against their will.

In India, after the capitulation of the Dehli in 1857, the British imperialist power imposed secular education on the masses. The *ʿulamā'* migrated to the villages where they established their own Islamic institutions with the aim of safeguarding the Muslims from being influenced by western culture which could prove detrimental to the Islamic way of life. One of such institutions which exist to this day

is *Dār al-ʿUlūm Deoband.* There were, however, certain Muslims who felt that it was important for them to master western education and foremost amongst them was Sir Syed Aḥmad Khān (1898) who was instrumental in establishing the famous Aligarh College based on the British model. On the other hand, *Nadwat al-ʿUlamā'* in Lucknow was established in order to bridge the gap between the two extremes. In other words, certain secular subjects, including the teaching of English, were introduced in its curriculum.

In the debate on whether Muslims should acquire western education or not, *Shāh Ṣāḥib*, who was the product of *Dār al-ʿUlūm Deoband,* differed from the majority view of the *ʿulamā',* and exhorted his students to study the English language and other secular sciences.[33] He pointed out that in order to safeguard his literary interest in Arabic and the Persian language, he was reluctant to read and write in Urdu. He even wrote all his letters and notes in these two languages. However, he later on regretted that he did not master the Urdu language for in India it was important for one to master the Urdu language in order to defend and propagate Islam in that country. Thus, he was of the view that if any person had an interest in teaching and propagating Islam

[33]. *Anwār al-Bārī,* op. cit. Vol. 1, p. 247.

beyond the geographical boundaries of India, then that person ought to study the English language, modern philosophy and secular research methodology.[34] This accounts for his not criticizing any educational institutions which incorporated secular sciences in its curriculum.

[34]. *Malfuẓāt Muḥaddith-i-Kashmīrī*, op. cit., p. 95.

CONCLUSION

Anwar Shāh Kashmīrī (*Shāh Ṣāḥib*) who hailed from Kashmir and studied under some renown Muslim scholars at *Dār al-ʿUlūm Deoband* turned out to become a reputed and profound scholar of his time. He was noted for his moral uprightness, devotion and piety as well as for his literary contributions and scholarly grasps of Islamic Sciences. He had intense enthusiasm for acquiring knowledge and a passion to disseminate the *Ḥadīth* of the Prophet (s.a.w.s.).

Shāh Ṣāḥib was an exemplary teacher, endowed with a special gift of communicative power and the capacity to forcefully illustrate his point. It was considered an honour and privilege to be a student of *Shāh Ṣāḥib* and this accounts for students from all over India flocking to *Dār al-ʿUlūm Deoband* in order to enrol as his students. During the eighteen years that he spent teaching at Deoband, he produced prominent scholars in the field of *Ḥadīth.* As many as 2 000 students qualified under him. His contemporaries respected his opinions and often sought his advice on many issues.

Shāh Ṣāḥib was recognised as an authority in the field of *Ḥadīth* and most of his works were in that field. He was equally well qualified in other branches of Islamic Sciences. His literary works have been adequately covered in Chapters Three and Four of this dissertation.

Shāh Ṣāḥib, besides being engaged in teaching, also devoted some of his time in the propagation of Islam. He delivered public lectures on Islam in various parts of India and also produced some literary works in defence of Islam. He even took the bold step to take part in the debate on the question of the Qādiyānī heresy and wrote on this whole issue with the aim of guiding the Muslim masses in avoiding from falling prey to what was regarded as a British conspiracy to sow dissension among Muslims.

Insofar as his involvement in politics is concerned, he vehemently opposed the British occupation of India and urged Muslims not to co-operate with the British and that they should not remain under the employment of the British. He thus had no hesitation in supporting the Indian National Congress in its call for the independence of India. He felt that there was no need for the Muslims to demand a separate state, but that it was possible for them to continue to reside in India post

independence as long as their life, property, religion and religious practices could be safeguarded.

While it is true that *Shāh Ṣāḥib* was a follower of the Ḥanafī School of Islamic Jurisprudence, he was not afraid to differ from the Ḥanafī position by giving his reasons based on sound legal (*fiqhī*) arguments. His personal opinions based on his arguments have been discussed in Chapter Five.

Shāh Ṣāḥib dedicated his entire adult life in the service of religion and what is noteworthy is that his services were given full recognition. This is evident from the many eulogies that were delivered after his demise. He left behind an indelible mark on the pages of the history of Muslims in India.

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About the book

ʿAllāmah Muḥammad Anwar Shāh Kashmīrī (d. 1933) was one of the most distinguished Islamic scholars from the Indo-Pakistan subcontinent. He was recognized by academics in the Muslim world as an authority on the Science of Prophetic Traditions (*Hadith*). His works on *Hadith* won him the title of "Master of *Hadith*".

This book provides a historical background of the Islamic academic activities that prevailed before and during Kashmiri's time; analyzes Kashmiri's works and provides a critical assessment of his contributions to the fields of Qur'anic and *Ḥadīth* Sciences and Islamic Jurisprudence and sheds light on Kashmiri's unique stance and personal opinions on several major academic issues which differed from that of his contemporaries and occasionally even from that of his predecessors. As there is paucity of works in English on *ʿAllāmah* Muḥammad Anwar Shāh Kashmīrī, this book is certainly a valuable addition.

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